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DEPARTMENT OF ARCHIVES

GOVERNMENT OF MAHARASHTRA, MUMBAI.

NAME OF RECORD : HOME DEPTT. SPL. FILE

NO : 800-(41)- D

YEAR : 1932- [illegible]

EXPOSED BY : ANIL SAWANT

DATE : 21/6/12

CIVIL DISOBEDIENCE MOVEMENT 1932.

(1) Allegations regarding the ill-treatment of certain women picketors in Siddapur taluka of the Kanara district.

(2) Action taken against the editor of the 'Kanara News' for publishing false and exaggerated reports of events in the Kanara district.

(3) Instructions to District Magistrates regarding the use of section 17 of the Indian Criminal Law Amendment Act, 1908, with regard to the publication of reports advertising Congress activities.

(4) Activities of Devaramma, wife of K.A. Venkatramaya and allegations made by her regarding ill-treatment of women prisoners in jail.

CIVIL DISOBEDIENCE MOVEMENT 1932.

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(4) Activities of Sevarama, wife of K.A. Venkatarenaya and allegations made by her regarding ill-treatment of women prisoners in jail.

(5) Persons arrested in connection with the Civil

CIVIL DISOBEDIENCE MOVEMENT 1932.

(1) Allegations suggesting the intimidation of certain women pickeers in Sladang, inside of the Banura district.

(2) Action taken against the editor of the 'Banura News' for publishing false and exaggerated reports of arrests in the Banura district.

(3) Instructions to District Magistrates regarding the use of Section 17 of the Indian Criminal Law Amendment Act, 1908, with regard to the publication of reports advocating Congress activities.

(4) Activities of Govinda, wife of U.L. Venkatappaya and allegations made by her regarding ill-treatment of women prisoners at Jail.

TELEGRAM [illegible]

Dated the 22nd March

From - Kaveramma Kallal

From - Siddapur.

To - Home Member, Bombay Govt.

To - Bombay.

Respected Sir, Police culture becoming unbearable. Heavy roaming of men, women, children everyday, evening. On seventeenth, we Kaveramma and three other women called to taluka Kacheri at 10 a.m; detained till after office hours; the premises kept on guard. We beaten by Police Inspector, poured bore abuse threatened violation, pulled sarees severely pounded with gunstocks and lathis; dragged like cattle, unconscious. We wired Collector & Police Superintendent. No reply. Kindly help.

True copy

Signature illegible

Below copy of telegram from Kavasmama Kalidi to the Honourable the Home Member, dated the 22nd April 1932.

No.S.D. - 3144

Home Department (Political),
Bombay Castle, 26th April 1932.

Forwarded with compliments to the District Magistrate, Kumara, for report.

2. Copy to the Commissioner, Southern Division, for information.

By order of the Governor in Council,

For Officiating Secretary to the Government of Bombay, Home Department.

TELEGRAM

Dated the 22nd March, 1932.

From - Kaveramma Kallal H/L-D/1

From - Siddapur.

To - Home Member, Bombay Govt.

To - Bombay.

Respected Sir. Police zulum becoming unbearable. Heavy beatin of men, women, children everyday affair. On seventeenth, we Kaveramma and three other women called to taluka Kacheri at 10 a.m; detained till after office hours; the premises kept on guard. We taken in. office Inspector, poured base abuses threatened violation, pulled sarees severely pounded with gunstocks and lathis; dragged like cattle, unconscious. We wired Collector and Police Superintendent. No reply, kindly help.

True Copy

Sd/- [illegible]

Sd/- [illegible]

Below copy of telegram from Kaveramma Kallal to the Honourable the Home Member, dated the 22nd April 1932.

No.S.D. - 3164

Home Department (Political),
Bombay Castle, 26th April 1932.

Forwarded with compliments to the District Magistrate, Kanara, for report.

2. Copy to the Commissioner, Southern Division, for information.

By order of the Governor in Council,

For Officiating Secretary to the Government o
Bombay, Home Department.

HQ
23

[illegible]

[illegible]

[illegible]

The [illegible] dated 25th April 1938 [illegible] the following news [illegible] Siddapur taluka, District Kanara:-

The important news of the week is that of [illegible] atrocities committed by the police on Mrs. Gauramma. Mrs. Gauramma and her four associates used to return the confiscated goods to their owners after recovering them from the bidders at auction sales, the number of bidders at auction sales [illegible] began to decrease. The Police, therefore, arrested Mrs. Gauramma and her four associates at [illegible] taluka Siddapur and brought them to Siddapur. It is rumoured that the Police committed atrocities on them at Siddapur. The police used abusive language against them and beat them. After releasing her associates the police abused and beat Mrs. Gauramma again. In such condition Mrs. Gauramma was taken to Karwar, District Kanara and sentenced to six months' rigorous imprisonment. Mrs. Gauramma was on hunger strike insisting that an enquiry should be held regarding the atrocities committed against her, but she has now yielded to the public pressure and begun to take food. The doctor has [illegible] owing to her severe injuries she is not in a [illegible] to be taken to the Karwar jail. The doctor's opinion [illegible] sufficient to show the extent of the atrocities committed against Mrs. Gauramma. The people of the Sirsi and Siddapur talukas are exasperated owing to the atrocities committed against Mrs. Gauramma. It is, therefore, necessary that the higher authorities should inquire into the above mentioned atrocities. The [illegible] of Bagalkot, District Bijapur, dated 2[illegible]th April 1938 writes as follows about the same subject:- Four women and two men [illegible] by the Police owing to their [illegible]. [illegible] Police [illegible] [illegible] [illegible] [illegible] [illegible] Inspector of Police [illegible]

The Kanara News dated 25th April 1932 published the following news regarding the alleged police atrocities in the Siddapur taluka, district Kanara:

The important news of the week is that of the atrocities committed by the Police on Mrs.Gauramma (as Mrs.Gauramma and her four associates used to return the confiscated goods to their owners after recovering them from the bidders at auction sales, the number of bidders at auction sales began to decrease. The Police, therefore, arrested Mrs.Gauramma and her four associates at Karkisaval taluka Siddapur and brought them to Sirsi. It is rumoured that the Police committed atrocities on them at Siddapur. The police used abusive language against them and beat them. After releasing her associates the police abused and beat Mrs.Gauramma again. In such condition Mrs.Gauramma was taken to Sirsi, District Kanara and sentenced to six months' rigorous imprisonment. Mrs.Gauramma was on hunger strike insisting that an enquiry should be held regarding the atrocities committed against her, but she has now yielded to the public pressure and begun to take food. The doctor has opined that owing to her severe injuries she is not in a position to be taken to the Karwar jail. The doctor's opinion alone is sufficient to show the extent of the atrocities committed against Mrs.Gauramma. The people of the Sirsi and Siddapur talukas are exasperated owing to the atrocities committed against Mrs.Gauramma. It is, therefore, necessary that the higher authorities should inquire into the above mentioned atrocities. The Kannada or Nagarkot, district Bijapur, dated 26th April 1932 writes as follows about the same incident :- Four women and two men were arrested by the Police owing to their satyagraha in the Sidapur talukas. Twenty Police Constables attacked them, abused them and beat them like mad dogs. One of the women has received cuts on her thighs, back and head. They have dragged her by her hand and broken her bangles. The Sub-Inspector of Police used most filthy languages.

Forwarded with compliments to the District Magistrate, Kanara, Karwar.

Sd/- H. K. Narasimhan

Oriental Translator to Government.

28/4/32

Copy submitted to the Secretary to Government, Home Department (Political), for information.

H. Emerson

A.K.

28-4-32

H. Dist. Kanara may be asked to report the true facts of the encashment and whether he has taken any action against the keeper.

Norm

29/4

R.I. No S.D. 43597

Petition from 2. Bulletins of
Siddapur.

HD

Transferred to the Home
Department for disposal.

~~The receipt of the petition has been acknowledged.~~

By order of
H. E. the Governor,

Private Secretary.

27-4-32

5103

R.I. No. S.D. 4359
30.4.32

Petition from 2. Bulletins of H
Siddapur.

HID
27

Transferred to the Home
Department for disposal.

~~The receipt of the petition has been acknowledged.~~

By order of
H. E. the Governor,

Private Secretary.

27-4-32

S 1143

R.I. No. S.D. 43597

Petition from 2 Bulletins of Siddapur.

MD

Transferred to the Home Department for disposal.

~~The receipt of the petition has been acknowledged.~~

By order of
H. E. the Governor,

Private Secretary.

27-4-32.

S 1143

Horrible Police Atrocities in Siddapur.

Women assaulted mercilessly.
Inhuman beating & abuse.

On the sixteenth of April four ladies Sri Gouramma, wife of Mr. K. A. Venkataramaiya, Sri Kavelamma, Sri Duggamma & Sri Bhagiratamma went to Akkunji, a village in Siddapur taluka to receive two Satyagraha buffaloes which were bought by the Patel and another gentleman of the same village. The other gentleman returned the buffaloe as soon as the Satyagrahis requested him. But the patel was of a different sort. He immediately sent word to the Police who came down to the village in their legions, arrested the four ladies and two men, and beat them severely.

They were then brought to the Siddapur lock up. The ladies yelled Jaykara. Immediately twenty Police pounced upon them and assaulted them like mad dogs. They were beaten with the hands, lathis and butt end of the guns. Sri Gouramma was beaten with lathi on the thighs, back, side and head. She was dragged about & all her bangles were broken.

The Police then released the three ladies and detained Sri Gouramma, but the other ladies said that they won't leave her by behind them and go home. Then they were all released and told to report themselves at the taluk office the next morning.

They were detained in the taluk office till the evening. At 5 p.m. the INSPECTOR Mr. MANGOLI and the Sub Inspector came & called out the ladies and detained Sri Gouramma. As before the ladies said "Arrest all of us. Don't detain one lady. We won't go leaving her here alone." The Police got angry and dragged Sri Gouramma towards the lock-up, but the other ladies caught hold of her & saved her. Thereupon the Inspector & the Sub-Inspector assaulted the ladies severely. They beat them as before & dragged them. They fisted them on the face, breast, back and abdomen. Sri Gouramma was locked up and the other three ladies were driven out.

People outside the compound walls of the taluka office saw that they heard the thumping sounds of beating even outside.

Sri Gouramma was fasting in connection with the Satyagraha for the auctioned buffaloe for two days when she was severely beaten on two successive days.

24-1932

WAR COUNCIL,
Siddapur

Horrible Police Atrocities in Siddapur.

Women assaulted mercilessly. Inhuman beating & abuse.

On the sixteenth of April four ladies Sri Gowramma wife Mr. K. A. Venkatramaiya Sri Kaveramma Sri Duggamma Sri Bhagiratamma went to Akkunji, a village in Siddapur taluka to receive two Satyagrahi buffaloes which were bought by the Patel and another gentleman of the same village. The other gentleman returned the buffalos as soon as the Satyagrahis requested him. But the patel was of a different sort. He immediately sent word to the Police who came down to the village in their legions, arrested the four ladies and two men and beat them severely.

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The Police then released the three ladies and detained Sri Gowramma; but the other ladies said that they won't leave one lady behind them and go home. Then they were all released and ordered to report themselves at the taluk office the next morning.

They were detained in the taluk office till the evening. At 9 p.m. the INSPECTOR Mr. MANGOLI and the Sub-Inspector came and released three ladies and detained Sri Gowramma. As before the ladies said, "Arrest all of us. Don't detain one lady. We won't go leaving her here alone." The Police got angry and dragged Sri Gowramma towards the lock-up: but the other ladies clung to her fast. Thereupon the Inspector & the Sub-Inspector assaulted the ladies severely. They beat them as heartless beasts and animals. They fisted them on the face, breast, back and shoulders. Sri Gowramma was locked up and the other three ladies were thrown out.

People outside the compound walls of the taluka office report that they heard the thumping sounds of beating from outside.

Sri Gowramma was fasting in connection with the Satyagraha for the auctioned buffalos for two days when she was mercilessly beaten on two successive days.

7-4-1938

WAR COUNCIL,
Siddapur

No Tax Bulletin No. 8

Horrible Police Atrocities in Siddapur.

Women assaulted mercilessly. Inhuman beating & abuse

The Head did not be called. He treated the injured ladies. A statement of the occurrence was taken from Sri Kaveramma. At 12 at the night, the three ladies went to the Mamlatdar and reported the Police atrocities to him. He said "I will make an enquiry in the morning. Don't worry yourself about the welfare of the lady at the lock up. The Shanbhogar went from here just now. He has got the key of the lock up. The Police will never have the key."

2 a. m., 18-4-1932

Mats were kept in the lock up for Sri Gouramma. She did not take it.

At 8 a. m. on Monday, the Mamlatdar, the Police Inspector and the Sub-inspector came to the lock-up with constables and asked Sri Gouramma to eat there. She refused to do so and said, "I am a soldier of Gandhi's army. I won't eat until either the buffaloe is returned to the Satyagrahis or I am sentenced to imprisonment by your so called Court of Law."

At 9 a. m. the same day, a Volunteer from Tumkur, named Sri Channappa announced in the bazaar that Hartal should be observed as a protest against the inhuman assault on women by the Police. Complete hartal was observed. Only two or three Vegetable shops were open. Sri Channappa was arrested and taken to the lock up.

The Mamlatdar accompanied by the rank officials and the Police went round the bazaar asking the Shop-keepers that observing hartal would amount to disobeying the ordinance and that it was punishable with imprisonment for one year and a fine of Rs. 1000. Then Sri opened his Shop.

11-30 a. m. 18-4-1932.

No Tax Bulletin No. 8

Horrible Police Atrocities
in
Siddapur

Women assaulted mercilessly.
Inhuman beating & abuse.

The local doctor was called. He treated the injured ladies. A detailed of the occurrence was taken from Sri Kalyanamma. At 12 in the night, the three ladies went to the Mamlatdar and reported the Police atrocities to him. He said "I will make an enquiry in the morning. Don't worry yourself about the sufferers of the lady in the lock-up. The Sheristadar went from here just now. He has got the key of the lock up. The Police will never have the key."

2 a. m., 18-4-1933.

Meals were kept in the lock-up for Sri Kalyanamma. She did not take it.

At 9 a. m. on Monday, the Mamlatdar, the Police Inspector and the Sub-Inspector came to the lock-up with eatables and asked Sr. Kalyanamma to eat them. She refused to do so and said, "I am a soldier of Gandhi's army. I won't eat until either the buffaloes is returned to the Satyagrahi or I am sentenced to imprisonment by your Civilised Court of Law."

At 9 a. m. on the same day, a Volunteer from Tumkur, named T. N. Channappa announced in the bazaar that Hartal should be observed as a protest against the inhuman assault on women by the Police. A complete hartal was observed. Only two or three Mussalman shops were open. Sj. Channappa was arrested and taken to the lock-up.

The Mamlatdar accompanied by the taluk officials and the Police went round the bazaar asking the Shop-keepers that observing hartals might be construed to disobey the ordinance and that it was punishable with imprisonment for six months and a fine of Rs. 1000. Nobody opened the Shop.

11-30 a. m., 18-4-1933.

Extract from the Weekly Report of the District Magistrate, Kanara, No.15, for week ending 27th April 1932.

HI-D 15

Attempts are being made to stir up trouble in Siddapur in connection with the arrest of a Mysore woman for picketing but I am just moving to Siddapur and will take the matter in hand.

Extract from the Weekly Report of the District Magistrate. Kanara, No.15, for week ending 27th April 1932.

hl-D 15

Attempts are being made to stir up trouble in Siddapur in connection with the arrest of a Mysore woman for picketing but I am just moving to Siddapur and will take the matter in hand.

Extract from the Weekly Report of the District Magistrate, Kanara, No.15, for week ending 27th April 1932.

Attempts are being made to stir up trouble in Siddapur in connection with the arrest of a Mysore woman for picketing but I am just moving to Siddapur and will take the matter in hand.

Extract from the Weekly Report of the District Magistrate, Kanara, No.15, for week ending 27th April 1932.

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+ on a telegram received by Hon. P Sants

@ extract at p 23 ante

The D.M., Kanara, has already been asked to report regarding the alleged ill-treatment of certain women picketers at Siddapur. In his weekly report of the 27th April, he says he is moving to Siddapur and will take the matter in hand. The attention of the D.M. may be drawn to the previous correspondance. It is presumably not necessary to send him copies of the Bulletins received from P.S.G. A draft is put up (with F.Cs.)

p 11 ante

§§ 17-15 ante

Home Department (Special)

+ in a telegram received by Hqrs. p 9 ante

@ extract at p 23 ante

The D.M., Kanara, has already been asked to report+ regarding the alleged ill-treatment of certain women picketers at Siddapur. In his weekly report@ of the 27th April, he says he is moving to Siddapur and will take the matter in hand. The attention of the D.M. may be drawn to the previous correspondence+. It is presumably not necessary to send him copies of the Bulletins received from P.S.G.£ A draft is put up (with F.Cs.)

p 11 ante

§ p 17 - 19 ante

30.4.32

30.4.32

EXPRESS LETTER.

No.S.D.-3307 dated the 24th April 1933.

To

District Magistrate, Kanara

repeated to Commissioner, Southern Division.

Reference Government endorsement No. S.D.3164 dated the 22nd April regarding complaint from Keremane Kellai about alleged police excesses in Siddapur. Government have noticed similar allegations in the Kanara News dated the 26th April and the Kannada of Bagalkot, dated the 26th April(extracts from which have been sent to you by the Oriental Translator to Government on the 28th idem). When furnishing the report already called for please also report whether you have taken any action against the Kanara News.

Bombay Special.

---

for Officiating Secretary to the Government of Bombay, Home Department.

EXPRESS LETTER.

No.S.D.- 3307 dated the 2nd May 1932.

To

District Magistrate, Kanara

repeated to Commissioner, Southern Division.

Reference Government endorsement No. S.D.3164 dated the 23rd April regarding complaint from Kaveramma Kallal about alleged police excesses in Siddapur. Government have noticed similar allegations in the Kanara News dated the 25th April and the Kannadig of Bagalkot, dated the 26th April(extracts from which have been sent to you by the Oriental Translator to Government on the 28th idem). When furnishing the report already called for please also report whether you have taken any action against the Kanara News.

Bombay Special.

For Officiating Secretary to the Government of Bombay, Home Department.

The Kannadiga of Bagalkot, District Bijapur, dated 28th April 1933 published the following news about the alleged high-handedness of the police in the Siddapur taluka, District Kanara :- Satyagraha is being practised at Hosvoda, taluka Siddapur, at a gentleman's house. On the fifth day of the satyagraha the police arrested 5 men and beat them. Women also have received lathi blows. The police tried to snatch away Mr. Gandhi's portrait kept by the satyagrahis. The women held it fast and did not allow allow the Police to take it. It is said that the Police being excited dragged one of the women and threw her on a stone. It is said that the back of the lady was severely injured and bled profusely. Inquiry should be made.

Forwarded with compliments to the District Magistrate, Kanara, Karwar.

Sd/- A. R. Ravi Narasimha

29-4-33 Oriental Translator to Government.

Copy submitted to the Secretary to Government, Home Department (Political), for information.

A. Ravi Narasimha

The Kannadig of Bagalkot, District Bijapur, dated 28th April 1932 publishes the following news about the alleged high-handedness of the policein the Siddapur taluka, District Kanara :- Satyagrah is being practised at Hostota, taluka Siddapur, at a gentleman's house. On the fifth day of the satyagraha the police arrested 5 men and beat them. Women also have received lathi blows. The police tried to snatch away Mr. Gandhi's portrait kept by the satyagrahis. The women held it fast and did not allow allow the Police to take it. It is said that the Police being excited dragged one of th women and threw her on a stone. It is said that the back of the lady was sevarely injured and bled profusel Inquiry should be made.

Forwarded with compliments to the District Magistrate, Kanara, Karwar.

Sdy. of K Md. Ansari

29-4-32 Oriental Translator to Government.

Copy submitted to the Secretary to Government, Home Department (Political), for information.

K Md Ansari

The Kannadig of Bagalkot, District Bijapur, dated 26th April 1932 publishes the following news about the alleged high-handedness of the policein the Siddapur taluka, District Kanara :- Satyagrah is being practised at Kostota, taluka Siddapur, at a gentleman's house. On the fifth day of the satyagraha the police arrested 6 men and beat them. Women also have received lathi blows. The police tried to snatch away Mr.Gandhi's portrait kept by the satyagrahis. The women held it fast and did not allow allow the Police to take it. It is said that the Police being excited dragged one of the women and threw her on a stone. It is said that the back of the lady was severely injured and bled profusel Inquiry should be made.

Forwarded with compliments to the District Magistrate, Kanara, Karwar.

Sd/- A K Rud. Abdussani

29.4.32 Oriental Translator to Government.

Copy submitted to the Secretary to Government, Home Department (Political), for information.

A Rud Khansaheb

Extract from the Congress Bulletin, Vol.II, No.16, dated the 29th April 1932.

CHIVALRY AS UNDERSTOOD UNDER RAJ

News comes from Siddapur (Kanara District) that on the morning of the 22nd of April Mrs.Venkatramayya and three other ladies were severely caned by the police while offering Satyagraha at the door of a trader who had bought a buffalo auctioned by the police to recover a fine. Mr.Managuli, the Police Inspector, personally supervised the assault. Mrs.Venkatramayya has been brought to Sirsi in a prostrate condition. She refuses to take even water unless a thorough enquiry into the outrage is guaranteed by the Government.

Secy.

Have we asked for details re "A"?

A.R.M.M.
2/5.

I presume this is the same incident regarding which we have asked the D.C., Kanara, to report.

Ia. C.F.B.
2/ .

No (Special)

The presumption I am sure is that this is the incident regarding which the Dist. Kanara, has been asked to report & correct Mrs Venkatramayya & the Mrs Gauramma mentioned in the telegrams which were presumably sent to us

Extract from the Congress Bulletin, Vo.II, No.101, dated the 29th April 1932.

CHIVALRY AS THE BRITISH UNDERSTAND IT.

News comes from Siddapur (Kanara District) that on the morning of the 22nd of April Mrs.Venkatramayya and three other ladies were severely caned by the police while offering Satyagraha at the door of a traitor who had bought a buffalo auctioned by the police to recover a fine. Mr.Managuli, the Police Inspector, personally supervised the assault. Mrs.Venkatramayya has been brought to Sirsi in a prostrate condition. She refuses to taken even water unless a thorough enquiry into the outrage is guaranteed by the Government.

Secy.

Have we asked for details re "A"?

d.R.M.M.
2/5.

I presume this is the same incident regarding which we have asked the D.M., Kanara, to report.

Ia. S.F.S.
2/ .

H.D. (Special)

The presumption of Asst Secy. that the incident regarding which the Dist. Kanara, has been asked to report is correct. Mrs Venkatramayya & the Mrs Gnanamma mentioned in the allegations which have previously come to notice

Extract from the Congress Bulletin, Vo.II, No.101, dated the 29th April 1932.

CHIVALRY AS THE BRITISH UNDERSTAND IT.

News comes from Siddapur (Kanara District) that on the morning of the 22nd of April Mrs. Venkatramayya and three other ladies were severely caned by the police while offering Satyagraha at the door of a traitor who had bought a buffalo auctioned by the police to recover a fine. Mr. Managuli, the Police Inspector, personally supervised the assault. Mrs. Venkatramayya has been brought to Sirsi in a prostrate condition. She refuses to take even water unless a thorough enquiry into the outrage is guaranteed by the Government.

Secy.

Have we asked for details re "A"?

Id. R.M.M.
2/5.

I presume this is the same incident regarding which we have asked the D.M., Kanara, to report.

Id. C.F.B.
2/.

H.D. (Special)

The presumption of Asst Secy. that the incident regarding which the D.M. Kanara, has been asked to report is correct. Mrs. Venkatramayya is the Mrs. Gauramma mentioned in the allegations which have previously come to notice

Send A' Jamadar Hubli p17 ante

R. I. L. S.D. 4629

10-5-1932

No. 80.

HD 25

From

C.B.B.Clee, Esquire, I.C.S.,

District Magistrate, Kanara.

To

The Secretary to Government,

Home Department, Bombay

Camp Siddapur, 7th May 1932.

Sir,

Reference your No.S.D.3164 dated the 23rd April 1932, I have the honour to report as follows:-

2. On the 16th April last, 4 women were found in Akkunji village in Siddapur Taluka picketting the house of a villager who had purchased property forfeited and sold on account of arrears of Land Revenue. Three were local women and the fourth was a woman named Gowramma, the wife of a Congress worker from Bangalore. This woman was the leader of the party and was sent from Bangalore to Siddapur specially for the purpose of organising women volunteers in that taluka. Her husband is a well known Congress agitator. The Circle Inspector brought the four women in a cart to Siddapur to the Police Sub-Inspector at about 8 p.m. While the Inspector of Police and the Police Sub-Inspector, Siddapur were enquiring into the matter, the father of one of the local women said that he would advise them and took them away. The four women, however returned to the kutchery the next day at about 10 a.m. and the Police after discovering the facts about Gowramma arrested her and put her in the lock-up at about 4 p.m. When she was produced before the Mamlatdar she made no allegations of ill treatment. When Gowramma was being placed in the lock-up a certain amount of fuss was made by the other three women who tried to insist upon being arrested and who had eventually to be taken out of the Kutchery compound. They immediately spread abroad that they had been assaulted and dishonoured, a frenzied telegram was sent to me that they were to be violated and killed that night and started to create all the excitement they could. They woke up the Mamlatdar in

R. I. No. S.D. 4629

10-5-1932

No. 30.

From

C.B.B.Clee, Esquire, I.C.S.,

District Magistrate, Kanara.

To

The Secretary to Government,

Home Department, Bombay.

Camp Siddapur, 7th May 1932.

Sir,

Reference your No.S.D.3164 dated the 23rd April 1932, I have the honour to report as follows:-

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S.D. 4129
10-5-1932

No. 20.

From

S.S.P. Lee, Esquire, I.C.S.,

District Magistrate, Kolaba.

To

The Secretary to Government,

Home Department, Bombay.

Camp Siddapur, 7th May 1932.

Sir,

Reference your No. S.D. 5164 dated the 22nd April 1932, I have the honour to report as follows:-

2. On the 16th April last, 4 women were found in Akkunji village in Siddapur Taluka picketting the house of a villager who had purchased property forfeited and sold on account of arrears of Land Revenue. Three were local women and the fourth was a woman named Kayramma, the wife of a Congress worker from Bangalore. This woman was the leader of the party and was sent from Bangalore to Siddapur specially for the purpose of organising women volunteers on that talluka her husband is a well known Congress agitator. The Circle Inspector brought the four women in a cart to Siddapur to the Police Sub-Inspector at about 8 p.m. While the Inspector of Police and the Police Sub-Inspector, Siddapur were enquiring into the matter, the father of one of the local women said he would advise them and took them away. The four women, however returned to the Kutchery the next day at about 10 a.m. and the police sitting investigating the facts about Kayramma arrested her and put her in the lock-up at about 4 p.m. when she was produced before the Magistrate who took no objections of all the facts. Kayramma was duly charged in the Court with criminal intimidation by the other three women in that they attempted and did [illegible] the father of the boy [illegible] and seem committed [illegible] abetment, [illegible] to the villager [illegible] to [illegible] all [illegible]

the middle of the night and [illegible] complained to him and the following morning tried to instigate a hartal but unsuccessfully.

3. Gowrawwa meanwhile went on a partial hunger strike but was sent to Sirsi and convicted and given six months rigorous imprisonment on receipt of which she broke her hunger strike. During her trial she alleged that she had been ill-treated by the Police but said she had no evidence. While in the Siddapur lock-up she was examined by the local medical officer who certified that she had one superficial round contusion on the lower and inner aspect of the right-leg, where-ever that may be, the size of a lemon - a Kanara lemon, the size of which is known to you, and she was also examined again by the medical [illegible] she had two slight bruises. Copies of the medical certificates are attached. These trivial injuries might of course have been caused during the woman's arrest. She is now in Karwar Jail.

The telegram received by the Honourable, the Home Member is a trifle more restrained than the one sent to me but is of course utterly untrue and was sent at the instigation of the three women whom the police refused to arrest.

Action is being taken against the Kanara Newspaper and the result will be reported in due course.

Your obedient servant,

District Magistrate, Kanara

the middle of the night and again complained to him and the following morning tried to instigate a hartal but unsuccessfully.

3. Gouramma meanwhile went on partial hunger strike but was sent to Sirsi and convicted and given six months rigorous imprisonment on receipt of which she broke her hunger strike. During her trial she alleged that she had been ill-treated by the police but said she had no evidence. While in the Siddapur lock-up she was examined by the local medical officer who certified that she had one superficial round contusion on the lower and inner aspect of the right-leg, where-ever that may be, the size of a lemon - a Kanara lemon, the size of which is known to you, and she was also examined again by the medical officer, Sirsi who certified she had two slight bruises. Copies of the medical certificates are attached. These trivial injuries might of course have been caused during the woman's arrest. She is now in Karwar Jail.

The telegram received by the Honourable, the Home Member is a trifle more restrained than the one sent to me but it was utterly untrue and was sent at the instigation of the three women whom the police refused to arrest.

Action is being taken against the Kanara lemons and the result will be reported in due course.

Your obedient servant,

District Magistrate, Kanara.

I.D.

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The telegram received by the Honourable, the - Home Member is a trifle more restrained than the one sent to me but is of course utterly untrue and was sent at the instigation of the three women whom the police refused to arrest.

Action is being taken against the Kanara News and the result will be reported in due course.

Your obedient servant,

District Magistrate, Kanara.

I.D.

This is to certify that I had examined Mrs. Courage in the Sub-Jail on the 1st April 1932 and found the following injuries on her body.

(1) One superficial wound contusion on the lower and inner aspect of the right breast of the size of a lemon.

In my opinion the above injury must have been caused by coming in contact with some hard and blunt substance.

Sd. V.V.Nagle,

Medical Officer,
I/Ch Magistracy,
Saddapur.

No. 103.

2-5-1932.

No. 4 of 1932.

Sirdi Dispensary, 22-4-1932.

This is to certify that Sowrama Venkatramudu was examined by me, in the lock-up at Sirdi, on 21st April 1932 at 7-30 P.M. and the following injuries were seen on her person.

(1) A superficial contusion of 2 cms. silver piece size on the right knee.

(2) A superficial contusion 1 cm. over the above on the left leg on the posterior side at its upper 1/4th.

(3) She complains of pain in back and arms but no marks or injuries are seen.

These injuries are of a simple nature and are likely to be caused by the parts coming in contact with some hard and blunt substance.

The above injuries may be more than 2 or 3 days old.

Sirdi,

22/4/1932.

M. T. [illegible],

Asst. Medical Officer,
Sirdi Dispensary.

No. 14 of 1932

Sirsi Dispensary, 22-4-1932

This is to certify that Gowramma Venkatramanayya examined by me, in the lock-up at Sirsi, on 21st April 1932 at 6-00 p.m. and the following injuries were seen on her person.

(1) A superficial contusion of 2 annas silver piece size on the right knee.

(2) A superficial contusion smaller than the above on the left leg on the posterior side at its upper 1/4th.

(3) She complains of pain in back and arms but no marks of injuries are seen.

These injuries are of a simple nature and are likely to be caused by the parts coming in contact with some hard and blunt sunstance.

The above injuries may be more than 2 or 3 days old.

Sirsi,

22/4/1932.

Sd. P. Bhoj,

B.A.M.S. Medical officer,
Pandit Dispensary, Sirsi.

H.D.(Special).

The D.M.'s report shows that the allegat[illegible] about the treatment of fo women picketers in S[illegible] are entirely false. It will be seen that the women wer at first released but that they returned the next day and and insisted upon being arrested. It will also be seen that at first no complaint of ill treatment was made to the Mamlatdar, and that the whole story was an after thought. The D.M. is taking action against the Kanara News which published th allegation, and presumably no further acti is necessary. The D. of I. may, however, see u.o.

11/5.32

11/5/32

Sec'y

I think the D.M. Bijapur should be sent a copy of the D.M. Kanara's report and be asked to tackle the Kannadiga of Bagalkot.

The papers should also be shown to the D. of I. I think this is a case in which the true facts should be known, although the report has not appeared in any Bombay paper.

12/5

H.D.(Special).

The D.M's report shows that the allegation made about the treatment of ~~ten~~ women picketers in Siddapur are entirely false. It will be seen that the women were at first released but returned the next day and and insisted upon being arrested. It will also be seen that at first complaint of ill treatment was made to the Mamlatdar, and that the whole story was an after thought. The D.M. is taking action against the Kanara News which published the allegation, and presumably no further actio is necessary. The D. of I. may, however see u.o.

11.5.32

11/5/32

Sec'y

fp 13 ante

© No telegram to Hon. ministers may be ignored

I think the Dy. Bijapur should be sent a copy of the Dy. Kanara report and be asked to tackle the Kannadiga of Bagalkot.

The papers should also be shown to the D. of I. I think this is a case in which the true facts should be known, although the report has not appeared in any Bombay paper.

12/5

D.(Special).

The D.M's report shows that the allegations made about the treatment of four women picketers in Siddapur are entirely false. It will be seen that the women were at first released but returned the next day and ~~and~~ insisted upon being arrested. It will also be seen that at first no complaint of ill treatment was made to the Mamlatdar, and that the whole story was an after thought. The D.M. is taking action against the Kanara News which published the allegation, and presumably no further action is necessary. The D. of I. may, however, see u.o.

11.5.32

11.5.32.

fp 13 ante

* The telegram to Hon. ab/p1-f may be ignored

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The papers should also be shown to the D. of I. I think this is a case in which the true facts should be known, although the report has not appeared in any Bombay paper.

Home
12/5

HD 35 HD 460

Re endorsement of the Dist., Bijapur, is put up for approval and signature. After same, the papers may be sent a.o. to the District of Information with Reference to Secy note.

BJ
B 5 32
W/5 2
14 : 5

14/5

: 7.1

MOR No. S D 3565, dated 16.5.32

HTJ/35 HD. 6/40

An endorsement by the D.M. Bijapur, is put up for approval and signature. After which, the papers may be sent u.o. to the Director of Information with Reference to Secy's note.

BJJ
B 5 32
HTJ/5 32
14 2 5

14/5

= 9.1

MOR No: S D 3565, dated 16 5 32

HD
35

H.D. (440)

An endorsement to the D.C. Bijapur, is put up for approval and signature. After issue, the papers may be sent n.o. to the Director of Information with Reference to Secy's note.

BB
15.5.32
14

15/5/32

= 9.1

WOR No. S D 3565, dated 16.5.32

[illegible]

Rs 10 5300
2 [illegible]

HD
35

H.O. (Gen).

An endorsement from D.C., Bijapur, is put up for approval and signature. After wards, the papers may be sent to the Director of Information with reference to Govt note.

RB
13 3 42
W 13/3/42

13/3/42

1 pl

Memo No S D 3565, dated 16 3 42

Below copies of a report in the Kannadig of Bagalkot, dated the 26th April 1932, and of a letter from the District Magistrate, Kanara, No.30, dated the 7th May 1932, with accompaniment.

Confidential. No.S.D.- 3663

Home Department (Political),
Bombay Castle, 16th May 1932.

Forwarded with compliments to the District Magistrate, Bijapur, for any action he may consider necessary against the Kannadig for publishing false or exaggerated news.

By order of the Governor in Council,

for Officiating Secretary to the Government of Bombay, Home Department.

Confidential. No.S.D.-
Home Department (Political),
Bombay Castle, May 1932.

Copy forwarded with compliments to the Commissioner, Southern Division, for information.

By order of the Governor in Council,

for Offg. Secretary to the Government of Bombay
Home Department.

HQ
14/5.

HD 34

Below copies of a report in the Kannada of Bagalkot, dated the 26th April 1932, and of a letter from the District Magistrate, Kanara, No.30, dated the 7th May 1932, with accompaniment.

Confidential. No.S.D.- 3663.

Home Department (Political),
Bombay Castle, 16th May 1932.

Forwarded with compliments to the District Magistrate, Bijapur, for any action he may consider necessary against the Kannadig for publishing false or exaggerated news.

By order of the Governor in Council,

For Officiating Secretary to the Government of Bombay, Home Department.

Confidential. No.S.D.- 3664
Home Department (Political),
Bombay Castle, 16th May 1932.

Copy forwarded with compliments to the Commissioner, Southern Division, for information.

By order of the Governor in Council,

For Offg. Secretary to the Government of Bombay
Home Department.

NQ
14/5.

H.D.No. C/35073
27-5-1932

[illegible]

To

The Secretary to Government
Home Department(Special).Bombay.
Poona, 24th May 1932.

Sir,

In reference to the Government Circular [illegible]
[illegible] dated 17th May 1932, I have the honour to state
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

I have the honour to be,
Sir,
Your obedient servant,

District Magistrate,

Dist. Poona.

No. (illegible)

The [illegible] papers in this case were sent to the District Magistrate on the 11th inst. and have not been received back. [illegible]

DIRECTORATE OF INTELLIGENCE
No. C 1633
21 MAY 1932

H.D.No. 5301

From

To

Sir,

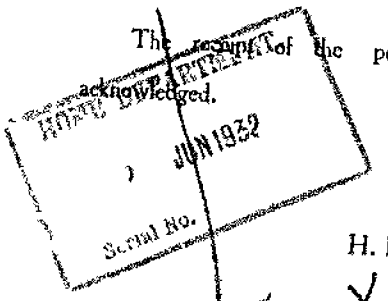
I have the honour to be,

Petition from Messrs Pandurang Krishna Shanbhag & Narasimha Govind Shanbhag L.R.B. dated 26th May 1932 & Enclosures.

R.J. No. S.D. 5331

Transferred to the 31-5-32 Home Department for disposal.

The receipt of the petition has been acknowledged.



By order of
H. E. the Governor,

for Private Secretary.

31-5-32.

S 1143

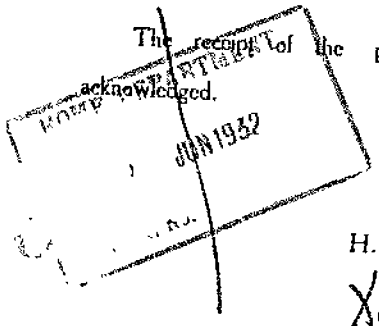
nl-D
nl

Petition from Messrs Pandurang Krishna Shanbhag & Narasimha Govind Shanbhag, L.R.B. dated 26th May 1932 & enclosures.

R.D. No. S.D. 5331

Transferred to the 31/32 Home Department for disposal.

The receipt of the petition has been acknowledged.



By order of
H. E. the Governor,

Private Secretary.

31-5-32

S 1143

His Excellency, Sir Frederick Sykes,
Governor of Bombay

BOMBAY

Ahmednagar Memorial from:-

(1) Pandurang Hari Ghanekar,
Editor, Printer & Publisher of
the Kannarese Weekly, "The Kanara News"
Kumta, Dist. North Kanara,
and (2) Narasimha Govind Ghanekar, L.M.P.,
Pleader, Kumta, N. Kanara.

In the matter of the Petitioners' application for the withdrawal of the Order of Internment passed against them by the District Magistrate of Ahmednagar.

May it please your Excellency,

We the Editor and publisher of the Weekly "Kanara News" the 1st of the two, received a letter dated 5-5-1918 from Mr. C.B.B.Clee, the District Magistrate of Ahmednagar, despatched from the Bombay Camp, requesting him to appear before the District Magistrate on 12th May 1918 at Belekeri. A true copy of the same is appended hereto.

Accordingly, the 1st of us met the District Magistrate at Belekeri, with the 2nd as his Legal Adviser. The 1st of us had not to go to Belekeri. The District Magistrate was absent when

Yours
Pandurang Ghanekar,
Editor & Publisher, "Kanara News"

To,

His Excellency Sir Frederick Sykes,

Governor of Bombay,

BOMBAY.

-A-

An humble Memorial from-

(1) Pandurang Krishna Shanbhag,

Editor, Printer & Publisher of

the Kanarese weekly, "The Kanara News"

Kumta, Dist. North Kanara.

and (2) Narasimha Govind Shanbhag, L.L.B.,

Pleader, Kumta, N.Kanara.

Sir, it please your Excellency,

As the Editor and publisher of the "Kanara News" the 1st of us, received a letter dated 5-5-1932 from Mr. C.B.B.Clee, the District Magistrate of N.Kanara, despatched from the Siddapur Camp, requesting him to appear before the District Magistrate on 12-5-1932 at Belekeri Camp. A copy of the same is appended hereto.

2. Accordingly, the 1st of us met the Dist. Magistrate at Belekeri, with the 2nd as his legal adviser. The visiting card sent in to the Dist. Magistrate was as follows:-

0/0113

P.K.Shanbhag,

Editor & Publisher, "Kanara News"

To,

His Excellency Sir Frederick Sykes.

Governor of Bombay,

B O M B A Y.

A

An humble Memorial from:-

(1) Pandurang Krishna Shanbhag,
Editor, Printer& Publisher of
the Kanarese weekly, 'The Kanara News'
Kumta, Dist. North Kanara.

and (2) Narasinha Govind Shanbhag. L.L.B
Pleader, Kumta. N.Kanara

Ma, it please your Excellency,

As the Editor and publisher of the "----
"Kanara News " the 1st of ~~xx~~ us, received a memo
dated 1-5-1932 from Mr. C.B.B.Clee, the District
Magistrate of N. Kanara, despatched from the
Siddapur Camp, requesting him to appear before
the District Magistrate on 12-5-1932 at Belek-
eri Camp. A copy of the memo is appended here-
to.

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Magistrate at Belekeri, with the 2nd as his
leagal advisor. The visiting card sent in to
the Dist. Magistrate was as follows:-

with

Plaintiff/Pleader

On receipt of the [illegible] the Dist. Magistrate called us down, treated us as usual and beckoned us to take chairs. (As we were called in together we thought that the courtesy was meant for both). The courteous manner received by the Dist. Magistrate as others when a solicitor, I went to lead us to think that we would be treated by the Dist. Magistrate as otherwise than a solicitor. When the 1st of us was about to seat himself on a chair, the Dist. Magistrate at once ordered him to "Stand up"! We least expected to be treated harshly.

The pleader was ordered to stand up in court.

3. The Dist. Magistrate drew [illegible] attention of the Editor to the last item of news, in the [illegible] News appearing on pages 8 and 9 of the [illegible] the "Hamara News" dated 23-4-1962, relating to the assaults on Mrs. Gouranga, but as we were not sufficiently accustomed to the English-man ex accents, we did not understand him properly, we [illegible] requested him to repeat his sta[illegible]. The 2nd of us (the pleader) had hardly uttered the words" [illegible] leave the room the Dist. Magistrate! unexpected discourteous treatment meted out to a pleader of his position, we had been [illegible] by the 1st to advise him [illegible] speak for him, he (the 2nd of us) silently left the room.

The pleader was told to leave the room when he was about to speak in support of his client.

4. The 1st of us was then asked the name of the correspondent who supplied the said news. He replied that he could not give the name then & there in the absence of the necessary papers. The

51-D/55

with

N.G.Shanbhag,

Pleader Kumta.

On receipt of the card, the Dist. Magistrat called us both, greeted us as usual and beckone us to take chairs. (As we were called in togeth we thought that the courtesy was meant for both The courteous memo, received by the 1st, did not lead us to think that they would be treated by the Dist. Magistrate as otherwise than a gentlemen. When the 1st of us was about to seat himself on a chair, the Dist. Magistrate at once ordered him to"Stand up"! We least expected to be treated so harshly.

The pleader was not asked to come in at all, I went for the Editor.

3. The Dist. Magistrate drew the attention of the Editor to the last item of news, in the Karai News appearing on pages 8 and 9 of the xxx issue of the "Kanara News"dated 26-4-1952,relating to the assaults on Mrs.Gouramma. But as we were not sufficiently accustomed to the English-man'sx accents, we did not understand him properly. We politely requested him to repeat his say. The 2nd of us (the pleader) had hardly uttered the words" I th" or so when he was peremptorily ordered to leave the room by the Dist.Magistrate. C... the unexpected discourteous treatmentxxx meted out to a pleader of his position, who had been specially taken by the 1st to advise him & also speak for him, he (the 2nd of us) silently leftx the room.

The pleader was also allowed to speak as he was asked when the Editor was being asked questions.

4. The 1st of us was then asked the name of the correspondent who supplied the said news. He replied that he could not give the name then & there in the absence of the necessary papers. But

HF-D
H5

with

N.G.Shenbhag,

Pleader Kumta.

On receipt of the card, the Dist. Magistrate called us both, greeted us as usual and beckoned us to take chairs. (As we were called in together we thought that the courtesy was meant for both. The courteous memo, received by the 1st, did not lead us to think that they would be treated by the Dist. Magistrate as otherwise than as gentlemen.) When the 1st of us was about to seat himself on a chair, the Dist. Magistrate at once ordered him to "stand up"! We least expected to be treated harshly.

The pleader was not asked to come in at all, I went for the Sirdar.

The pleader was then asked to go out on the usual intimation when the Sirdar was being asked to supply him questions.

The [illegible] attention [illegible] last item of news, in the [illegible] on pages 8 and 9 of the [illegible] relating to the assaults on Mrs. Souramma. But as we [illegible] accustomed to the English accents, he did not understand him properly [illegible] of us (the pleader [illegible] uttered [illegible] leaving the Magistrate [illegible] treatment [illegible] leader of the position, and [illegible] advised [illegible] me (the 2nd of us) [illegible] room.

The 1st [illegible] The Magistrate. He replied [illegible] been 6 there [illegible].

The Dist.Magistrate declared that the news given in the paper was untrue to his knowledge and asked the 1st of us (A) Editor what he would do for it. The matter wanted to take legal advice from the 2nd of us who was outside, and asked for the Magistrate's permission to see me he was allowed to go. After consultation he was inside when the pleader was also called in. The time even the pleader was not offered a chair. The Dist. Magistrate made a sudden remark that the 2nd was also responsible for the publication of the said item of news! The 2nd calmly replied that he was connected with the paper only as a legal advisor. Neverthe less the Dist.Magistrate began to question us both as though we were accused brought to take our trial.

5. According to the Dist. Magistrate that part of the report which stated that the Doctor at Sirsi expressed an opinion that Gouramma was not in a fit condition to be removed to Karwar, on account of injuries to her person, was totally false; the Doctor had never expressed like that; the Dist. Magistrate had personal knowledge of the whole matter. The Dist. Magistrate opined that we published the news, knowing it to be false, that our editorship was irresponsible and that we were unfit to be the editors, since we brought any stick to be good enough to beat the Government with. He also showed us the Doc report, called for after the publication of the news.

6. [illegible] that the news published [illegible] correspondent, that [illegible] true, that

The Dist.Magistrate declared that the news given in the paper was untrue to his knowledge and asked the 1st of us (the Editor) what he would do for it. The Editor wanted to take legal advice from the 2nd of us who was outside, and asked for the Magistrate's permission to see him He was allowed to go. After consultation he went inside when the pleader was also called in.This time even the pleader was not offered a chair! The Dist. Magistrate made a sudden remark that the 2nd was also responsible for the publication of the said item of news! The 2nd calmly replied that he was connected with the paper only as a legal advisor. Nevertheless the Dist.Magistrate began to question us both as though we were accused brought to take our trial.

According to the Dist. Magistrate that part of the report which stated that the Doctor & Sirsi expressed an opinion that Gouramma was not in a fit condition to be removed to Karwar, on account of injuries to her person, was totally false; the Doctor had never expressed like that; the Dist. Magistrate had personal knowledge of the whole matter. The Dist. Magistrate opined that we published the news, knowing it to be false, that our correspondent was irresponsible and that we were unfit to be the editors, since we thought any stick to be good enough to beat the Government with. He also showed us the Doct report, called for after the publication of the news.

6. We replied that the news was published as it was received from our correspondent, that we did not believe the report to be untrue, that we had no intention to strike at the Government.

Then the Magistrate exclaimed if such a thing as the beating of Gouramma could happen in Kanara! And hence, he said, we were unfit to edit the paper. We drew the attention of the Magistrate to the account published in a Bangalore weekly, reporting, at length, the injuries inflicted on Gouramma. The Dist. Magistrate remarked that the Correspondent of that paper was also a liar. We read a translation of a passage in a Bagalkot paper (we learnt it after inquiry) where in the police were called "Mad dogs". The Dist. Magistrate declared that our correspondent & that of the Bagalkot paper was one & the same man! even though the presentation, language etc of the report in our paper was totally different from the presentation & language of the report of the Bagalkot paper. When we [illegible] attention of the Dist. [illegible] many [illegible] to the two [illegible] again [illegible]

Did not sign anything. The Doctor states so in his report.

Then the Magistrate exclaimed of such a thing as the beating of Gouramma could happen in Kanara! And hence, he said, we were unfit to edit the paper. We drew the attention of the Magistrate to the account published in a Bangalore weekly, reporting, at length, the injuries inflicted on Gouramma. The Dist. Magistrate remarked that the Correspondent of that paper was also a liar. He read a translation of a passage in a Bagalkot paper (we learnt after inquiry) where in the police were called "Mad dogs". The Dist. Magistrate declared that our correspondent & that of the Bagalkot paper was one & the same man! even though the presentation, language etc of the report in our paper vastly differed from the presentation & language of the report of the Bagalkot paper. When we brought this fact to the attention of the Dist. Magistrate he remarked that the same man may be sending two different versions to the two papers! We were surprised at this logic & could not argue further. We did not know how to satisfy the Magistrate. Then we showed him that even the Doctors report said that Gouramma was under treatment, he again opined that it was due to injuries but on account of the examination by the newspaper strike! He said that [illegible] under observation of the Court at his instance.

When the Dist. Magistrate insisted that our report was wrong, we offered to correct it & also tender an apology. But he did not think that this would compensate the harm done and that the apology suffice. Again and again he kept on repeating that we were unfit to become editors, that we published the report knowing

Did not specify anything else and the Doctor states as in his report.

knowing it to be untrue, that the correspondent was irresponsible & so on. We replied in one way or other, not being able to surmise exactly what he wanted from us. At last he told us that we must pay the penalty & that he would prevent us from editing the paper.

8. The Dist. Magistrate also referred to the news published in the 3rd column of page 2 in the issue dated 2-5-1932. He said that the beating by police was not true. We replied that that version was not supplied by our own correspondent but by a respectable man as was apparent from the report itself; that we were ready to furnish the name of the gentleman as he instructed us to do in case of necessity. The Dist. Magistrate said that the correspondent was responsible to us. But no very serious discussion took place on this matter.

9. After again repeating that we were unfit to work as editors, the Dist. Magistrate closed the file & we left.

10. We beg to note that the Dist. Magistrate, as all along, was behaving in a condescending tone. He also ordered to treat the 2nd time pleader also as an editor of the paper. All this took place in the presence of the Deputy Collector.

11. We are enclosing herewith a fair translation of the passages in question for your Excellency's perusal. The fact that Jawaharlal is beaten was public property in the Talukas of Karad & Siddapur; there was a strong condemnation among the people; and there was even a hartal as a mark of protest at the ill-treatment

knowing it to be untrue, that the correspondent was irresponsible & so on. We replied in one way or other, not being able to surmise exactly what he wanted from us. At last he told us that we must pay the penalty & that he would prevent us from editing the paper.

8. The Dist. Magistrate also referred to the news published in the 3rd column of page 3 in the issue dated 2-5-1932. He said that the beating by police was not true. We replied that that version was not supplied by our own correspondent but by a respectable man as was apparent from the report itself that we were ready to [illegible] the name of the gentleman as he instructed [illegible] in case of necessity. The Dist. [illegible] of the correspondent or [illegible]

[illegible] it really proves our contention how the plot originated and could the report be a piece of invention on the part of our correspondent. The report of Bentinck Bourne was also appeared in many other papers both in and out of Kanara. We beg to enclose herewith a translation of what appeared in a Bangalore paper in this connection. Notwithstanding the veracity of the report, we simply placed the version before the public & the government and pressed the government to institute an inquiry into the matter. We believe that paper would have been a corner if the attention of the Government was not drawn to the matter by it.

13. Even the Doctor's report, far from contradicting the report in the papers, and [illegible] according to the doctor, Souramma was under treatment: he was not in a fit condition to be examined by Kanara. The officers again do not explicitly deny that Souramma was beaten at Siddapur. Will it be an unfair conclusion that Souramma was detained at Sirsi for injuries she received at Siddapur?

The Doctor's report states that Souramma was under treatment for the fracture because she was unable to walk in a bus that she could be examined in Kanara. It is also true that the Doctor [illegible] the matter points.

They must explain how they did it.

14. We humbly submit that your Excellency be pleased to consider the following:-

(a) [illegible] conduct of the [illegible] Siddapur [illegible] Souramma [illegible] on;

(b) [illegible] treatment [illegible] Souramma [illegible] was;

(c) [illegible] the treatment [illegible] Souramma [illegible] was [illegible] prejudice of [illegible] the court;

(d) [illegible] conduct of [illegible]

treatment given to Gouramma. It really passes our comprehension how the Dist. Magistrate can call the report a piece of imagination on the part of our correspondent. The report of beating Gouramma has appeared in many other papers both in & out of Kanara. We beg to enclose herewith translation of what appeared in a Bangalore pap in this connection. Notwithstanding the versi of the report, we simply placed the version bef the public & the Government and pressed the Government to institute an inquiry into the matt We believe that paper would have been a sinner if the attention of the Government was not drawn to the matter by it.

12. Even the Doctor's report, far from contradicting the report in the papers, only suppor t. According to the Doctor, Gouramma was under treatment; she was not in a fit condition to be removed to Karwar. The officers again do not explicitly deny that Gouramma was beaten at Siddapur. Will it be an unfair conclusion that Gouramma was detained at Sirsi for injuries she received at Siddapur?

13. We humbly submit that your Excellency be pleased to consider the following :-

(a) Whether the conduct of the Dist.Magistr- ate is befitting his high post & position;

(Whether the treatment meted out to is fair

c be her the treatment o the 'n' at the ere s leader of he t, is fair & consonan with the ecent l ration f h the courts;

at or of the Dist. M

Magistrate towards the pleader was not respectful and even arrogant. (The pleader had written a letter to the Dist. Magistrate on the 18th inst., a copy of which is enclosed. Mr. Clee has not replied.)

(e) if it was the intention of the Dist. Magistrate to exact a penalty from us, whether it was right on his part to invite us for an interview & humiliate us in the way he did in the presence of his subordinates.

The Editor was sent for - we were also summoned.

devoutly hope your excellency will institute an enquiry into this unhappy incident and order the said official to make the suitable amends.

For such act of kindness, we shall ever remain grateful & obliged.

I have the honour to be,
Sir,
Your most obedient servant,
N.B. Chamberlain, Pleader
P.B. Chamberlain, Editor.

P.S. - After this representation was ready, the 1st. of us to be prosecuted under Section 7(1) of the Criminal Law Amendment Act for publishing the news item referred to above.

Kumta
26th May 1932

Enclosures: 5

I have the honour to be, Sir,
Your most obedient servants,
N.B. Chamberlain, Pleader
P.B. Chamberlain, Editor.

Magistrate towards the pleader was not decorous and even indecent; (The pleader had written a letter to the Dist. Magistrate on the 13th inst, a copy of which is enclosed. Mr. Clee has not replied.)

& (e) if it was the intention of the Dist. Magistrate exact a penalty from us, whether it was right on his part to invite us for an interview & humiliat us in the way he did in the presence of his subordinates.

We devoutly hope your excellency will institute an enqui into this unhappy incident and order the said official to make suitable amends.

For which act of kindness, we shall ever remain grateful & obliged.

K U T A,
21st May 1932.

We beg
Your Excellency,
YOur most obedient servents
N.K.Shanbhag Pleader
P.K.Shanbhag. Editor.

P.S. - After this representation was ready, the 1st.of is being prosecuted under Section 17(1) of the Criminal Law Amendment Act for publishing the news item referred above.

Kunda
26th May 1932.

We beg to remain,
Your Excellency,
Your most obedient servents.
N.K.Shanbhag Pleader
P.K.Shanbhag. Editor.

Enclosures: 5.

Translation of a passage in the 3rd and last columns of pages Nos. 8 & 9 of The Kanara News dated 25/4/1922.

The most important news of this week is the report of the violence practised by the Police on Mrs. Gourumma (wife of Mr. Venkatramayya). Our readers know that Mrs. Gouramma used to visit the houses of those who purchased goods attached for Civil Disobedience, at the auction sales, hungerstrike and get the goods back to be returned to the(original) owner. As a result of the conduct of this lady and her associates, the bidders at the auction sales of "Satyagraha" goods, became rare. So, the Police arrested Mrs. Gouramma and 3 or 4 female associates of her, in Kirki-Sawal, and brought them to Siddapur. It is reported that the Police practised much violence on them at Siddapur; that they abused them with very unutterable words; that they beat them; that they beat Mrs. Gourumma again after releasing her associates, that they abused her " without the least restraint on their tongue" ! While Mrs. Gourumma was in this state, she was brought down to Sirsi and then tried and sentenced to six month's R. I. Mrs. Gourumma had once resolved not to take food until an inquiry was instituted into the violence practised on her. But now she is taking her food, bowing before the entreaties of the town's people. On the 22nd (of April) Mrs. Gourumma was put on a motor (lorry) to be taken to Karwar Jail. But as the Doctor expressed an opinion that it would not be proper to take her to Karwar for 8-10 days (to come) since the injury to her was great, she was not taken to Karwar. One may infer, from this one fact alone, as to what an amount of violence might have been done to Mrs. Gourumma. The public of Sirsi and Siddapur Talukas are much agitated over the ill-treatment of Mrs. Gourumma. It is necessary that the Hon higher authorities should conduct xxx an inquiry into these violations.

Translation of a passage in the 3rd and 1st Columns of pages Nos. 8 & 9 of The Kanara News dated 25/4/1932.

The most important news of this week is the report of the violence practised by the Police on Mrs. Gourumma (wife of Mr. Venkatramayya). Our readers know that ----- Mrs. Gourumma used to visit the houses of those who ---- purchased goods attached for Civil Disobedience, at the auction sales, hungerstrike and get the goods back to be returned to the(original) owner. As a result of the ---- conduct of this lady and her associates, the bidders at the auction sales of "Satyagraha" goods, became rare. So, the Police arrested Mrs. Gourumma and 3 or 4 female ---- associates of her, in Kirki-Sawal, and brought them to Siddapur. It is reported that the Police practised much violence on them at Siddapur; that they abused them with very unutterable words; that they beat them; that they beat Mrs. Gourumma again after releasing her associates; that they abused her " without the least restraint on their tongue" ! While Mrs. Gourumma was in this state, she was brought down to Sirsi and then tried and sentenced to six month's R. I. Mrs. Gourumma had once resolved not to take food until an inquiry was instituted into the violence practised on her. But now she is taking her food, bowing before the entreaties of the town's people. On the [illegible] of April Mrs. Gourumma was put on a motor (lorry) to be taken to Karwar Jail. But as the doctor expressed [illegible] that it would not be proper to take her to [illegible] (to come) also the injury to her [illegible], she was not taken to Karwar! One may infer, from this fact [illegible], as to what is brought on violence [illegible] to Mrs. Gourumma. The public of Kanara [illegible] sympathises over the ill treatment [illegible]. It is necessary that the Kanara authorities [illegible] must take an inquiry into these violences.

-------- 4 --------

Translation of a passage in the 3rd and 1st columns of pages Nos. 8 & 9 of The Kanara News dated 25/4/1932.

The most important news of this week is the report of the violence practised by the Police on Mrs. Gourumma (wife of Mr. Venkatramayya). Our readers know that ----- Mrs. Gourumma used to visit the houses of those who ---- purchased goods attached for Civil Disobedience, at the auction sales, hungerstrike and get the goods back to be returned to the(original) owner. As a result of the ---- conduct of this lady and her associates, the bidders at the auction sales of "Satyagraha" goods, became rare. So, the Police arrested Mrs. Gouramma and 3 or 4 female ---- associates of her, in Kirki-Sawal, and brought them to Siddapur. It is reported that the Police practised much violence on them at Siddapur; that they abused them with very unutterable words; that they beat them; that they beat Mrs. Gourumma again after releasing her associates; that they abused her " without the least restraint on their tongue" ! While Mrs. Gourumma was in this state, she was brought down to Sirsi and then tried and sentenced to six month's R. I. Mrs. Gourumma had once resolved not to take food until an inquiry was instituted into the violence practised on her. But now she is taking her food, bowing before the entreaties of the town's people. On the 22nd (of April) Mrs. Gourumma was put on a motor (lorry) to be taken to Karwar Jail. But as the Doctor expressed an opinion that it would not be proper to take her to Karwar for 8-10 days (to come) since the injury to her was great, she was not taken to Karwar! One may infer, from this one fact alone, as to what an amount of violence might have been done to Mrs. Gourumma. The public of Sirsi and Siddapur Talukas are much agitated over the ill-treatment of Mrs. Gourumma. It is necessary that the higher authorities should conduct an inquiry into these violations.

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Translation of a passage in Colume 2 of ibid.

Another person of the same village had bought a buffalo (at the auction sale). Apprehending that they will [illegible] "Satyagrahis" in his house, he secretly sold away the buffaloe to another man ! On learning this incident, the "Satyagrahies" insisted that either the buffaloe must be brought back and returned (to the original owner), or the price of the buffaloe should be paid. The news reached the Police. The Police arrived and arrested two four females and two males. It is the talk of the whole town that the prisoners were severely beaten. It is said that they were all beaten once more after they were taken to Sindapur. It is reported that Mrs. Gourumma was assaulted with abusive language, which one cannot bear to repeat or hear, and that she was beaten at every joint! Only Mrs. Gourumma was detained and the others were released.

Translation of a passage in Column 2 of page 9, of ibid.

Another person of the same village had bought a buffalo (at the auction sale). Apprehending that they will ------ "Satyagraha" in his house, he secretly sold away the ----- buffaloe to another man ! On learning this incident, the "Satyagrahies" insisted that either the buffaloe must be brought back and returned (to the original owner), or the price of the buffaloe should be paid. The news reached t. Police. The Police Arrived and arrested the four females and two males. It is the talk of the whole town that the prisoners were severely beaten. It is said that they were all beaten once more after they were taken to Siddapur. It is reported that Mrs. Gourumma was insulted with abusi language, which one cannot bear to repeat or hear, and that she was beaten at every joint! Only Mrs. Gourumma wa detai ed t the others were released.

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Translation of a passage in Column 2 of page 9 of ibid.

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Translation of a passage on page 9 of
Vishwa Karnatak (Bengalore City), dated 1/5/32

WHAT SIDDAPUR LADIES SAY.

Mrs. Gourumma, the wife of Mr. K. A. Venkatramayya, Mrs. Kawerumma, the wife of Mr. Kallal Manabaleshwer Bhat Mrs. Durgumma, of Manan jiball and Mrs. Bhagiratumma, these four ladies were arrested for practising civil resistance (Satyagraha) in front of the houses of those who bought "Satyagrahi" goods at the auction sales, in the village of Akkunji in the Taluka of Siddapur. Out of these three ladies were released and Mrs. Gourumma alone has be jailed for six months. Hear what Mrs. Kawerumma has got t say:-

" Myself, Durgamma, Bhagiratumma and Gourumma, all of these four ladies, were offering Satyagraha in front of the house of Akkunji Patel. Yesterday evening three policemen, one Circle Inspector, one village officer and an Ugrani arrived(there), beat us all four, battered us with rifles, took us to the Siddapur Kacheri and presented us before the Fouzdar. Immediately after, the Fouzdar called (some) policemen and others as himself. He have came wounds on our [illegible] ears. Besides, they knocked us, dragged us by the [illegible] and so in assaulted us. All the bangles on our [illegible] broke. The Police Inspector came there and the [illegible] asked of Mrs. Gourumma what her name was [illegible] from, Mrs. Gourumma gave her name and [illegible] where he [illegible] Venkatramayya; he was [illegible] Fouzdar thunder- [illegible] the [illegible]

[illegible] civil [illegible] the Police Inspector [illegible] next day, [illegible] three, they ". We replied that we

FROM SIDDAPUR LADIES JAIL

Mrs. Gourumma, the wife of Mr. K. A. Venkatramayya, Mrs. Kaverumma, the wife of Mr. Kallal Mahabaleshwer Bhat Mrs. Durgumma, of Hanamjibail and Mrs. Bhagiratumma, these four ladies were arrested for ~~practising~~ practising civil resistance (Satyagraha) in front of the houses of those who bought "Satyagrahi" goods at the auction sales, in the village of Akkunji in the Taluka of Siddapur. Out of these three ladies were released and Mrs. Gourumma alone was sentenced jailed for six months. Hear what Mrs. Kaverumma has got to say:

" Myself, Durgamma, Bhagiratumma and Gourumma, all of these four ladies, were offering Satyagraha in front of the house of Akkunji Patel. Yesterday evening three policemen, one Circle Inspector, one village officer and an Ugrani arrived(there), beat us all four, battered us with rifles, took us to the Siddapur Kacheri and presented us before the Fouzdar. Immediately after, the Fouzdar called (some) policemen and caned us himself. We have cane wounds on our hands and legs. Besides, they knocked us, dragged us by the ~~xxxx~~ arms and again assaulted us. All the bangles on our hands broke. Then the Police Inspector came there and theateningly demanded of Mrs. Gourumma what her name was and where she hailed from. Mrs. Gourumma gave her name and address. She was asked who her husband was and where he was. To this she replied "His name is Venkatramayya; he has been arrested in Bombay". He (the Police Inspector) thundered "He is here only, we know it, he has escaped from the Belgaum jail".

Then they asked us to go away leaving Mrs. Gourumma behind. We replied that we would not go leaving only one lady behind us. Afterwards, they released us all, having told us to present ourselves(in the Police office)at 10 A.M next day.

We went to the police office at 10 A. M. next day. The Fouzdar said " You, three, may go ". We replied that we

Translation of a passage on page 9 of
Vishwa Karnatak (Bangalore City), dated 1/8/3

WHAT SIDDAPUR LADIES SAY.

Mrs. Gouramma, the wife of Mr. K. A. Venkatprayya, Mrs. Kaveramma, the wife of Mr. Kallal Ramanaleshwer Bhat Mrs. Durgumma, of Ranajigail and Mrs. Bhagiratumma, these four ladies were arrested for ~~xxxxxing~~ practising civil resistance (Satyagraha) in front of the houses of those who bought "Satyagrahi" goods at the auction sales, in the village of Akkunji in the Taluka of Siddapur. Out of these three ladies were released and Mrs. Gouramma alone has been jailed for six months. Hear what Mrs. Kaveramma has got to say:-

" Myself, Durgamma, Bhagiratumma and Gouramma, all of these four ladies, were offering Satyagraha in front of the house of Akkunji Patel. Yesterday evening three policemen, one Circle Inspector, one village officer and an Umedvar arrived(there), beat us all four, battered us with rifles, took us to the Siddapur Anchani and presented us before the Fouzdar. Immediately after, the Fouzdar called (some) policemen and caned us himself. We have some wounds on our hands and legs. Besides, they knocked us, dragged us by the ~~xxxx~~ arms and again assaulted us. All the bangles on our hands broke. Then the Police Inspector came there and threateningly demanded of Mrs. Gouramma what her name was and where she hailed from. Mrs. Gouramma gave her name and address. She was asked who her husband was and where he was. To this she replied "His name is Venkatramayya; he had been arrested in Bombay". He (the Police Inspector) thundered "He is here only; we know it; he has escaped from the Bijapoor jail".

Then they asked us to go away leaving Mrs. Gouramma behind. We replied that we would not go leaving only one lady behind us. Afterwards, they released us all, having told us to present ourselves(in the Police Station) the next day.

We went to the police office at 9 A. M. as ordered by the Fouzdar. But, there, they got [illegible]

we would not go leaving one lady (behind). Then Inspector Mangoli abused Mrs. Gouramma with the words" You are a expert hypocrite ; a mean, sinful woman; you are not a Satyagrahi; you are assembling women and trying to lead them astray; when one sees a comb and boom-powder with you, (it appears to him) that you are nothing but a pleasure-hunter. You look like a prostitute" Saying so. Then he turned to us and broke forth, " You lewd women, have no decency. You are hypocrites and lewd; Kaveri, your husband has gone to prison. It seems you want a hundred husbands, besides. I shall get you beat with shoes by the Holeya and kicked by them".

We sat there till evening without food, listening to these and such other insensate utterances of the Police Then, the Fouzdar and Inspector Mangoli came there, abuse us again and ordered the Police to withdraw. After that they summoned Gouramma alone to the Office of the Foundar I and Gouramma went there, I was stopped and Gouramma was dragged in. I firmly hugged Gouramma. Then they began beat us. The police men and Mangoli, fisted her on all parts of the body and got her dragged to the lock-up by the police. They seized the orange-coloured sarees which we were wearing and gave us other sarees. Then again they beat us and got us forcibly removed by six-seven policemen to the vicinity of Mr. Dodmane Nagesh Hegde's house. We remained conciousness after the Doctor came and treated us.

" We then went to the residence of the Samletdar and reported all the facts of the outrage. He said" Now the hour is far advanced. I shall enquire in the morning. You need not be concerned about the lady in the lock-up. The matter does not lie with the Police. It remains with the Lock-up staff.

" We were not concerned about the pain of caning given to us. It felt as though we have jumped in a fire when we took what those devotees of the English, who committed no out-rages, may do in the lock-up at night. We pray at the Almighty Krishna that

we would not go leaving one lady (behind). Then Inspector Xxx Mangoli abused Mrs. Gourumma with the words" You are a hypocrite; a mean, sinful woman; you are not a Satyagrahi; you are assembling women and trying to lead them astray; when one sees a comb and tooth-powder with you, (it appears to him) that you are nothing but a pleasure-hunter. You look like a prostitute" & so on. Then he turned to us and broke forth, " You Haweak women have no decency. You are hypocrites and lewd; Kaweri, your husband has gone to prison. It seems you want a hundred husbands, besides. I shall get you beat with shoes by the police and kicked by them".

We sat there till evening without food, listening to these and such other insensate utterances of the Police Then, the Fouzdar and Inspector Mangoli came there, abused us again and ordered the Police to withdraw. After that they summoned Gourumma alone to the Office of the Fouzdar, I and Gourumma went there. I was stopped and Gourumma was dragged in. I firmly nagged Gourumma. Then they again beat us. The police men and Mangoli, fisted her on all parts of the body and got her dragged to the lock-up by the police. They seized the orange-coloured sarees which we were wearing and gave us other sarees. Then again they beat us and got us forcibly removed by six-seven policemen to the vicinity of Mr. Dodmane Nageah Hegde's house. We remained some distance after the Doctor came and treated us.

" Then we went to the residence of the Karletdar and reported all the facts of the outrage. He said" Now the night is far advanced. I shall enquire in the morning. You need not be concerned about the lady in the lock-up. The key does not lie with the Police. It remains with the Head-clerk."

" We are not concerned about the pain of caning given us. We feel as though we have jumped in a fire when we think what those devotees of the English, who committed such out-rages, may do in the lock-up at night. We pray that the Almighty Krishna who preserved the honour of Devi

we would not go leaving one lady (behind). Then Inspector Mangoli abused Mrs. Gourumma with the words" You are a hypocrite ; a mean, sinful woman; you are not a Satyagrahi; you are assembling women and trying to lead them astray; when one sees a comb and tooth-powder with you, (it appears to him) that you are nothing but a pleasure-hunter. You look like a prostitute" & so on. Then he turned to us and broke forth, " You Haweak women have no decency. You are hypocretes and lewd; Kaweri, yo husband has gone to prison. It seems you want a hundred husbands, besides. I shall get you beat with shoes by the holers and kicked by them".

We sat there till evening without food, listening to these and such other insensate utterances of the Police. Then, the Fouzdar and Inspector Mangoli came there, abused us again and ordered the Police to withdraw. After that they summoned Gourumma alone to the Office of the Fouzdar. I and Gourumma went there. I was stopped and Gourumma was dragged in. I firmly hugged Gourumma. Then they again beat us. The police men and Mangoli, flated her on all parts of the body and got her dragged to the lock-up by the police. They seized the orange-coloured sarees which we were wearing and gave us o ner sarees. Then again they beat us and got us forcibly removed by six-seven policemen to the vicinity of Mr. Dodmane Nagesh Hegde's house. We regained consciousness after the Doctor came and treated us

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" We are not concerned about the pain of caning given to us. We feel as though we have jumped in a fire when we think what those devotees of the English, who committed such out-rages, may do in the lock-up at night. We pray that the Almighty Krishna who preserved the honour of [illegible]

Devi Droupadi, may keep Mrs. Gourumma, who is the crest-jewel of devoted wives, a patriot and heroic lady,".

The Shirastedar personally came to the lock-up after 10 P. M. and took away the key of the lock-up with him. Food articles were kept in it. Mrs. Gourumma did not even touch them. At 9 A. M. next morning, the Hamletdar, the Fouzdar and the Inspector came there, ordered some tiffin and requested(Gourumma) to eat it. Gourumma did not comply even though she importuned in various ways. She said, " I am a soldier in the army of Mahatma Gandhi. I will never give up my vow. The Satyagrahi goods(attached goods) should be returned to the Satyagrahis; Or I must be imprisoned by this unjust Government. Until one of these two things happen, I wont touch anything but water. Just read the judgement ; tell me what the sentence is, whether it is one year or two years". When she was again pressed she exclaimed " Do not trouble me. Quietly walk away" !

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Devi Droupadi, may keep Mrs. Gourumma, who is the crest-jewel of devoted wives, a patriot and heroic lady,".

The Shirastedar personally came to the lock-up at 10-P. M. and took away the key of the lock-up with him. Food articles were kept in it. Mrs. Gourumma did not even touch them. At 9 A. M. next morning, the Tahsildar, the Fouzdar and the Inspector came there, ordered some tiffin and requested(Gourumma) to eat it. Gourumma did not comply even though she importuned in various ways She ~~xxx~~ said, " I am a soldier in the army of Mahatma Gandhi. I shall never give up my vow. The Satyagrahi goods(attached goods) should be returned to the Satyagrahis; Or I must be ~~xx~~ -- ~~px~~ imprisoned by this unjust Government. Until one of these two things happen, I wont touch anything but water. Just read the judgement ; tell me what the sentence is, whether it is one year or two years". When she was again pressed she exclaimed " Do not trouble me. Quietly walk away"

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Devi Droupadi, may adopt Mrs. Gouramma who is the great jewel of devoted wives, a patriot and heroic lady.

The Shirastedar personally came to the lock-up after 10 P. M. and took away the key of the lock-up with him. Food articles were kept in it. Mrs. Gouramma did not even touch them. At 9 A. M. next morning, the Tahsildar, the Fouzdar and the Inspector came there, ordered some tiffin and requested(Gouramma) to eat it. Gouramma did not comply even though she importuned in various ways. She told, " I am a soldier in the army of Mahatma Gandhi. I will never give up my vow. The Satyagrahi goods(attached goods) should be returned to the Satyagrahis; Or I must be kept imprisoned by this unjust government, until one of these two things happen, I wont touch anything but water. Just read the judgement ; tell me what the sentence is, whether it is one year or two years". When she was again pressed she exclaimed " Do not trouble me. Quietly walk away" !

Camp Gadag, 5th May 1932.

Memo:-

Mr. Pandurang Krishna Shanbhag, Editor and publisher of the Kanara News, Kumta, is required to appear before the District Magistrate, Kanara, at Belgaum at 12 noon on the 12 th instant.

Sd/ - C.B.DIXON,
District Magistrate, Kanara.

To :-

Pandurang Krishna Shanbhag,
Editor and Publisher, of the Kanara News, Kumta.

HD 64 Duplicate

No. C/5118

Camp Siddapur, 5th May 1938.

Memo:-

Mr. Anandarang Krishna Shanbhag, editor and publisher of the Kanara News, Kumta, is requested to appear before the District Magistrate, Kanara, at Belekeri at 12 noon on the 12 th instant.

Sd/ C.B.B.CLEE,
District Magistrate, Kanara.

Anandaran Krishna Shanbhag,
Editor and Publisher, of the Kanara News, Kumta.

H-D Duplicate
64

No. o/5118

Camp Siddapur, 5th May 1932.

Memo:-

Mr. Pandurang Krishna Shanbhag, editor and publisher of the Kanara News, Kumta, is requested to appear before the District Magistrate, Kanara, at Belekeri at 12 noon on the 12 th instant.

Sd/ C.B.B.CLEE.
District Magistrate, Kanara.

To

Pandurang Krishna Shanbhag,
Editor and Publisher, of the Kanara News, Kumta.

N. G. BHANBHAG, B.A., LL.B.,
Pleader,
KUMTA. (N. Kanara)

Date 13th May 1932.

ಹೆಚ್ಚುವರಿ ಪ್ರಥಮ ಶ್ರೇಣಿ ನ್ಯಾಯಾಧೀಶರು, ಜಿಲ್ಲೆ, ಕಾರವಾರ,
ಮತ್ತು, ಫ಼ಸ್ಟ್ ಕ್ಲಾಸ್ ಮ್ಯಾ.

To

G.B.P.CLIII. Esq. I.C.S.,

The Assistant Magistrate
Kumta, N.K. & B.

Respected Sir,

Yesterday, I had been to your Honour's Court with the Editor, "Canara Seva" Kumta. I do not know why your Honour was offended against me. I entered the Court after sending the card and attended with the permission, as Your Honour after greeting me with a "Good morning !" beckoned me to take a chair and as I took a chair. The editor was ordered to stand up and was referred to the issue dated [illegible] the item of news objected to was rather inaudible and I just wanted to know what it was. Even the editor also did not hear it properly. As soon as I uttered [illegible] I do not remember the exact

[illegible]

N. G. SHANBHAG, B.A., LL.B.,
Pleader,
KUMTA, (N Kanara)

Copy

Date 13th May 1932.

ನಡಿಂಜ ಗೋವಿಂದ ಶಾನಭಾಗ, ಬಿ.ಎ., ಎಲ್.ಎಲ್.ಬಿ.,
ಪ್ಲೀಡರ್, - ಕುಮಟಾ.

41-D
69

V

To

C.B.B.CLEE.-Esq.- I.C.S.

The District Magistrate

Kanara, K A R W A R.

Respected Sir,

Yesterday, I had been to your Honours Court with the Editor, "Kanara News" Kumta. I can not know why your Honour was offended against me. I entered the Court after sending the card and attended with the permision. of Your Honour after greeting me with a "Good morning !" beckoned me to take a chair and so I took a chair. The editor was ordered to stand up and was referred to the issue dated 25-4-32. The item of news objected to was rather inaudible and I just wanted to know what it was. Even the Editor also did not hear it properly. As soon as I uttered "25th' or so. I do not recollect the exact words, I was peremptorily ordered to go out. I [illegible] ted to the order not knowing what to do at the time. After a while, I

69-A

N. G. SHANBHAG, B.A., LL.B.,
Pleader,
KUMTA. (N Kanara)
ನರಸಿಂಹ ಗೋವಿಂದ ಶಾನಭಾಗ, ಬಿ.ಎ, ಎಲ್.ಎಲ್.ಬಿ,
ವಕೀಲ, ಕುಮಟಾ.

Copy.

Date 13th May 1932.

51-D
69

V

To

C.B.B.CLIFF. Esq. I.C.S.

The District Magistrate
Kanara, K A R W A R.

Respected Sir,

Yesterday, I had been to your Honour's Court with the Editor, "Kanara News" Kumta. I can not know why your Honour was offended against me. I entered the Court. after sending the card and attended with the permision. ~~of~~ Your Honour after greeting me with a "Good morning !" beckoned me to take a chair and so I took a chair. The editor was ordered to stand up and was referred to the issue dated 25-4-32. The item of news objected to was rather inaudible and I just wanted to krow what it was. Even the Editor also did not hear it properly. As soon as I uttered "6th" or so, I do not recollect the exact words, I was [illegible] ordered to [illegible] the Editor not knowing [illegible] at the time. After a while, I was

N. G. SHANBHAG, B.A., LL.B.,
Pleader,
KUMTA. (N. Kanara)

Date VII-D-71 1951

ಸನ್ಮಾನ್ಯ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು, ಜೂ. ವಿಭಾಗ,
ಕುಮಟಾ, ಉತ್ತರ ಕನ್ನಡ.

was called in and was questioned as if I was an accused . I did not know whether I offended Your Honour in any way. As Pleaders, we are entirely dependent upon the good-will of Courts. I do not think if I committed any offence by enquiring about the news item referred to in the conversation. As the conversation was going on in my presence, I thought that Your Honour had no objection to hear me now it. My conduct yesterday, so far as I can recollect, it could not give Your Honour [illegible]. If however, Your Honour thinks that I have passed the limit I may be informed of it so that I may avoid it. I am [illegible] Your Honour may [illegible]

[illegible]

N. G. SHANBHAG, B.A., LL.B.,
Pleader,
KUMTA. (N. Kanara)
ನರಸಿಂಹ ಗಣಪತಿ ಶಾನಭಾಗ, ಬಿ.ಎ., ಎಲ್.ಎಲ್.ಬಿ.,
ವಕೀಲರು ಕುಮಟಾ.

Date 21-D 71 195 71

was called in and was questioned as if I was an accused . I did not know whether I offended your Honour in any way. As Pleaders, we are entirely dependent upon the good-will of Courts. I do not think if I committed any offence by enquiring about the news item referred to in the conversation. As the conversation was going on in my presence, I thought that Your Honour had no objection to let me know it. My conduct yesterday, so far as I can recollect, I could not give Your Honour any offence. If however, Your Honour thinks that I transgressed the limits I may be informed of it so that I may avoid it. I may here mention that your Honour was all courteous when I saw Your Honour in March last with the same Editor.

I feel humiliated; Hence I have taken the liberty to write this letter.

I beg to remain,
Sir,
Your most obedient servant
(sd) N. G. Shanbhag

H-D
93

Cl
26

H.D.(Special).

Submitted with reference to the Secretary's note above. The D.M., Kanara, has not yet reported the result of the prosecution of the Editor of the Kanara News under section 17 of the Criminal Law Amendment Act. The accompanying Express Letter may accordingly issue.

H.D.(Special)

Submitted with reference to the Secretary's note above. The D.M., Kanara, has not yet reported the result of the prosecution of the Editor of the Kanara News under section 17 of the Criminal Law Amendment Act. The accompanying Express Letter may accordingly issue.

A court intimating document. Put up when the result of the prosecution is known. H.H. may see in the meantime.

2/6

H.H.

H.D.(Special).

Submitted with reference to the Secretary's note above. The D.M., Kanara, has not yet reported the result of the prosecution of the Editor of the Kanara News under section 17 of the Criminal Law Amendment Act. The accompanying Express Letter may accordingly issue.

24/2/32

R.J.L. S.D. 6893

29-7-193

No. 30.

H-D
45

From

B.S.Barcilon, Esquire, I.C.S.,
District Magistrate, Kaira.

To

The Secretary to Government,
Home Department (Special),
Council Hall, Bombay.

Kaira, 25th July 1932.

Sir,

Expedite.
Desk-I

With reference to the Government Letter No. S.D. 4986 dated 22nd instant, I have the honour to state that the case against Pandurang Krishna Khandekar, the editor of the Kaira News, under section 17 of the Criminal Law Amendment Act is still pending in the court of the Special Magistrate, Kaira Town, (Mr. A.S.Mudaliar). The case stands adjourned to 26th instant for defence evidence. The result will be reported to Government immediately after it is announced by the Court.

Your obedient servant,

District Magistrate, Kaira

Home Dept. (Special)

Submitted for information.

29.7.32.

29.7.32.

R.I. No. S.D. 6893

25-7-1932

No. 30.

From

R.S. Hirsmith, Deputy I.G.,

District Headquarters, [illegible]

To

The Secretary to Government,

Home Department (Political),

Simla,

Dated, 26th July 1932.

Copy sent to Deputy I

I have the honour to forward herewith S.D. 40[illegible] dated 22nd instant, I have the honour to state that the case against Jandu Ram Pritha Singh, [illegible] for the murder of [illegible] in the court of the [illegible] (Kulu). The [illegible] has been withdrawn [illegible].

I have, etc.,

[signature]

[illegible]

Home Dept. (Special)

Submitted for information

[signature]

29/7/32

[signature]

30/7

No. 30.

From

R.S.Hiremath, Esquire, I.A.S.,
District Magistrate, Kanara

To

The Secretary to Government,
Home Department (Political)
Council Hall, Poona.

Karwar, 26th July 1932.

Sir,

Expedite. Demi-official

With reference to the Government express letter No. S.D. 4988 dated 22nd instant, I have the honour to state that the case against Pandurang Krishna Bhemang, the editor of the Kanara News, under section 17 of the Criminal Law Amendment Act is still pending in the court of the Special Magistrate, Karwar Town, (Mr. R.S.Mudkatte). The case stands adjourned to 26th instant for defence evidence. The result will be reported to Government immediately after it is announced by the Court.

Your obedient servant,

District Magistrate, Kanara

Home Dept. (Special)

Submitted for information.

29.7.32

29.7.32.

Secy.

Cwd 31/7

EXPRESS LETTER.

No.S.D.-6642 dated 10 September 1932.

To

District Magistrate,

Kanara.

Reference correspondence ending with your letter No.30 dated the 26th July 1932 regarding the prosecution of Pandurang Krishna Shanbhag, editor of the Kanara News, unde section 17 of the Criminal Law Amendment Act. Please report how the matter stands.

Bombay Special.

For Secretary to the Government of Bombay,
Home Department.

JP.
8/9

EXPRESS LETTER.

No.S.D.-5842 dated September 1932.

To

District Magistrate,

Kanara.

Reference correspondence ending with your letter No.30, dated the 26th July 1932 regarding the prosecution of Pandurang Krishna Shanbhag, editor of the Kanara News, under section 17 of the Criminal Law Amendment Act. Please report how the matter stands.

Bombay Special.

For Secretary to the Government of Bombay,
Home Department.

JP.
8/9

EXPRESS LETTER.

No.S.D.-5842 dated 10th September 1932.

To

District Magistrate,

Kanara.

Reference correspondence ending with your letter No.30, dated the 26th July 1932 regarding the prosecution of Pandurang Krishna Shanbhag, editor of the Kanara News, under section 17 of the Criminal Law Amendment Act. Please report how the matter stands.

Bombay Special.

For Secretary to the Government of Bombay,
Home Department.

JP.
8/9

Subject:- Application made by Pandurang Krishna Shanbhag for transfer of the criminal case pending in the court of the Magistrate First Class, Karwar Town.

-0-

No. C/5895.

From

R.S.Hiremath, Esquire, I.A.S.,

District Magistrate, Kanara.

To

The Government Pleader, High Court, Bombay.

Karwar, 6th September 1932.

Sir,

With reference to your letter No. 2499 dated 25th August 1932 on the subject noted above, I have the honour to return herewith the copy of the application made by Pandurang Krishna Shanbhag for transfer of the case pending against him and to state as follows:-

2. The Karnatak Provincial Congress Committee, Dharwar, and several congress committees in the Kanara District were by Government Notification H.D.No. C.D. 68 dated 5th January 1932 declared as unlawful associations under section 16 of the Criminal Law Amendment Act, 1908 (XIV of 1908). Please vide pages 21 to 29 of the Bombay Government Gazette Part I Extraordinary. The Karnatak Provincial Congress Committee has under the signature of its President issued a printed leaflet (Marked A) dated 5th January 1932 containing its programme of its activities one of the items being "No-tax campaign" wherever possible, with directions that the local leaders should assume the responsibility and get every thing ready for it.

3. Following the programme issued by the Provincial Congress Committee, the First Working Committee of the Taluka Congress Committee of Siddapur (declared as an unlawful association under the Government Notification quoted above) issued a printed leaflet dated 10th February 1932 signed by the Secretary of the association, containing the resolution of the "No-tax campaign" in Siddapur Taluka (Marked B). The resolution

Subject:- Application made by Pandurang Krishna Shanbhag for transfer of the criminal case pending in the Court of the Magistrate First Class, Karwar town.

No. 0/5095.

From

R.S.Hirenath, Esquire, I.A.S.,
District Magistrate, Kanara.

To

The Government Pleader, High Court, Bombay.

Karwar, 6th September 1932.

Sir,

With reference to your letter No. 2499 dated 25th August 1932 on the subject noted above, I have the honour to return herewith the copy of the application made by Pandurang Krishna Shanbhag for transfer of the case pending against him and to state as follows:-

2. The Karnatak Provincial Congress Committee, Dharwar, and several congress committees in the Kanara District were by Government Notification H.D.No. S.D.-68, dated 5th January 1932 declared as unlawful associations under section 16 of the Criminal Law Amendment Act, 1908 (XIV of 1908). Please vide pages 21 to 29 of the Bombay Government Gazette Part I Ext ordinary. The Karnatak Provincial Congress Committee has under the signature of its President issued a printed leaflet (Marked A) dated 5th January 1932 containing its programme of its activities one of the items being " No-tax campaign " wherever possible, with directions that the local leaders should assume the responcibility and get every thing ready for it.

3. Following the programme issued by the Provincial Congress Committee, the First Working Committee of the Taluka Congress Committee of Siddapur, declared as an unlawful association under the Government Notification quoted above) issued a printed leaflet dated 10th February 1932 signed by the Taluka Dictator of the association, containing the resolution of the "No-tax campaign" in Siddapur Taluka and the resolutions

Re: Application of Pandurang Krishna Shanbag for transfer of the criminal case pending against him in the court of the Magistrate First Class, Karwar Town.

No. C/6995.

From

R.S.Nimbalkar, Esquire, I.A.S.,
District Magistrate, Kanara.

To

The Government Pleader, High Court, Bombay.

Karwar, 6th October 1932.

Sir,

With reference to your letter No. 2429 dated 25th August 1932 on the subject noted above, I have the honour to return herewith the copy of the application made by Pandurang Krishna Shanbag for transfer of the case pending against him and to state as follows:-

2. The Karnatak Provincial Congress Committee, Dharwar, and several congress committees in the Kanara District were by Government Notification I.D.No. C.S. 56 dated 5th January 1932 declared as unlawful associations under section 16 of the Criminal Law Amendment Act, 1908 (XIV of 1908). Please vide pages 21 to 23 of the Bombay Government Gazette Part I Ext ordinary. The Karnatak Provincial Congress Committee had under the signature of its President issued a printed leaflet (Marked) dated 5th January 1932 containing the programme of its activities one of the items being " No-tax campaign " wherever possible, with directions that the local leaders should assume the responsibility and get everything ready for it.

3. Following the proclamation issued by the Provincial Congress Committee, the First Meeting of the Taluka Congress Committee, Siddapur declared as an unlawful association under the Government Notification quoted above) is said to have resolved at its meeting held on 1st February 1932 as per the Secretary's Report of the Association, to start the resolution of the " No-tax campaign " in Siddapur Taluka as well as in ...

contained a prayer that none should bid for moveable or immovable property belonging to defaulters of land revenue and attached and put to auction.

There is "no-tax" campaign in Siddapur Taluka. When the moveables belonging to the defaulters of land revenue were attached and put to auction and were sold, the local unlawful association of Siddapur enlisted women volunteers to demand back from the purchasers the property purchased in auction and thereby to deter other intending bidders and these activities were at once commenced. The War Council of Siddapur also issued no-tax hand bill No. 7 dated at Siddapur the 17th April 1942 containing threats to the purchasers that the volunteers will not allow them to retain the property purchased by them. A translation of the extract from the hand bill No. 7 is enclosed (marked C).

4. The applicant is the editor, printer and publisher of the weekly newspaper entitled "Kanara News" which is published at Kumta in this district. The members of several unlawful associations in this district are publishing by means of hand bills either exaggerated or false accounts of political events to serve their purpose. The purpose of these unlawful associations are to put obstacles in the way of the administration of law and maintenance of law and order. While the circulation of such hand bills being prejudicial to the maintaining of law and order is duly checked under the provisions of law the Press (Emergency Powers) Act 1931 and the Ordinances, the congress propagandists either serve as correspondents of the newspapers and thus give wider publicity to their activities through the medium of this newspaper or the congress bulletins are sent to this newspaper for publication. The applicant in the issue of the "Kanara News" dated 25th April 1942 published an account of the activities of certain congress volunteers in demanding back from purchasers the property -

contained a prayer that none should bid for moveable or immovable property belonging to defaulters of land revenue and attached and put to auction.

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purchased by the latter in auction sales. A translation of the matter published in enclosed (marked D). This is the subject matter of the criminal proceedings against the applicant. This Hon'ble Court conversant with the matter contained in the document (marked A to C) may take it clear that the matter contained in these documents is the product of the " War Council" of Siddapur. The charge against the applicant is that he assisted the operations of the Karnatak Provincial Congress Committee, and the taluka congress committees of Sirsi and Siddapur punishable under section 17 sub-section one (1) of the Criminal Law Amendment Act, by publishing the matter contained in the document (marked D), with the object of furthering the illegal activities of the congress committees. The publication did in fact tend to further the cause or purpose of these unlawful associations; in that more picketing of purchasers or property attached for the recovery of Land Revenue did in fact take place as a result of this article. The action of the applicant thus clearly falls within the purview of section 17(1) of the Criminal Law Amendment Act.

5. As regards the alleged ill-treatment by the Police, the statement of Lakshmma concerned, the medical certificates of the medical officers of Sirsi and Siddapur who examined her (documents marked E to G) may be compared with the document (marked D). These documents (E to G are in my opinion irrelevant for the purpose of the present application.

6. I shall now refer to the grounds of the application for transfer.

The applicants state in para 6 of his application that the criminal proceedings against him are made under section 17 sub-section (2) of the Criminal Law Amendment Act. It is not a fact. They are under sub-section (1) of the section. I have explained above how the applicant has helped the illegal activities

purchased by the latter in auction sales. A translation of the matter published in enclosed (marked D). This is the subject matter of the criminal proceedings against the applicant. This when compared with the matter contain in the document (marked A to C) may take it clear that the matter contained in these documents is the product of the " War Council" of Siddapur. The charge against the applicant is that he assisted the operation of the Karnatak Provincial Congress Committee, and the Taluka congress committees of Sirsi and Siddapur punishable under section 17 sub-section one (1) of the Criminal Law Amendment Act, by publishing the matter contained in a document (marked D), with the object of furthering the illegal activities of the congress committees. The publication did in fact tend to further the cause or purpose of these unlawful associations; in that more picketing of purchasers or property attached for the recovery of Land Revenue did in fact take place as a result of this article. The action of the applicant thus clearly falls within the purvies of section 17(1 of the Criminal Law Amendment Act.

5. As regards the alleged ill-treatment by the Police, the statement of Gourgenn concerned, the medical certi. cates of the medical officers of Sirsi and Siddap who examined her (documents marked E to G) may be compared with the document (marked D). These documents (E to F are in my opinion irelevent for the purpose of the present application.

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5. As regards the alleged ill-treatment by the Police, the statement of Gouramma concerned, the medical certificates of the medical officers of Sirsi and Siddap who examined her (documents marked E to G) may be compared with the document (marked D). These documents (E to G) are in my opinion irrelevent for the purpose of the present application.

6. I shall now refer to the grounds of the application for transfer.

The applicants states in para 3 of his application that the criminal proceedings against him are made under section 17 sub-section (2) of the Crimin Law Amendment Act. It is not a fact. They are under sub-section (1) of the section. I have explained above how the applicant has helped the illegal activities of

congress.

Para 4 of the application.

A copy of the certified copy of the statement made by Gouranna, put in by the accused is enclosed (marked E).

Para 5. The prosecution has to place before the Court the evidence necessary to prove the ingredient of the offence. The defence cannot complain that any particular witness should have been called by the prosecution. If the defence finds that the evidence of any parti witness is necessary to disprove the charge, it is at liberty to call that witness in defence.

Paras 6 and 7. The defence gave a list of 4 witnesses to be summoned for the defence. The trial Court ordered that the expenses of these witnesses should be deposited. This order was made in the exercise of the discretion vested in the Court by sub-section (2) of sect. 257 Cr.P.C. as the accused is on bail and he has engaged two pleaders for his defence and is not in indigent circumstances. The accused thereafter applied to the Court that the two of the witnesses who are prisoners in the Belgaum Central Jail might be examined on commission. This subsequent request was apparently made simply to evade payment of expenses ordered by the Court. The trial Court applied to me for issue of a commission under section 503 Cr.P.C. I refused to issue a commission as witnesses from Belgaum are usually summoned to attend courts in this district and the procedure suggested by the trial Court was unusual. The defence did not give a list of interested witnesses but proposed to examine the witnesses at Belgaum. This involved the deputation of the police prosecutor for a few days, unnecessary expenses to Government, delay and dislocation of other work entrusted to the police prosecutor. A copy of my order which contains the reasons is enclosed (marked H).

Para 8. On 25th July 1952, the accused put in

congress.

Para 4 of the application.

A copy of the certified copy of the statement made by Gouramma, put in by the accused is enclosed (marked E).

Para 5. The prosecution has to place before the Court the evidence necessary to prove the ingredients of the offence. The defence cannot complain that any particular witness should have been called by the prosecution. If the defence finds that the evidence of any particular witness is necessary to disprove the charge, it is at liberty to call that witness in defence.

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Para 8. On 26th July 1938, the accused put in

congress.

Para 4 of the application.

A copy of the certified copy of the statement made by Gouramma, put in by the accused is enclosed (marked E).

Para 5. The prosecution has to place before the Court the evidence necessary to prove the ingredien- of the offence. The defence cannot complain that any particular witness should have been called by the prosecu- -tion. If the defence finds that the evidence of any particular witness is necessary to disprove the charge, it is at liberty to call that witness in defence.

Paras 6 and 7. The defence gave a list of 4 witnesses to be summoned for the defence. The trial Court ordered that the expenses of these witnesses should be deposited. This order was made in the exercise of the discretion vested in the Court by sub-section (2) of section 257 C.P.C. as the accused is on bail and he has engaged two pleaders for his defence and is not in indigent circumstances. The accused thereafter applied to the Court that the two of the witnesses who are prisoners in the Belgaum Central Jail might be examined on commission. This subsequent request was apparently made simply to evade payment of expenses ordered by the Court. The trial Court applied to me for issue of a commission under section 506 C.P.C. I refused to issue a commission as witnesses from Belgaum are usually summoned to attend courts in this district and the procedure suggested by the trial court was unusual. The defence did not give a list of interrogations but proposed to examine the witnesses at Belgaum. This involved the deputation of the police prosecutor for a few days, unnecessary expenses to Government, delay and dislocation of other work entrusted to the police prosecutor. A copy of my order which contains the reasons is enclosed (marked H).

Para 8. On 26th July 1902, the accused put in

an application to summon the two prisoners(witnesses) cited for the defence as witnesses/as on behalf of the Court. This was the third attempt to avoid payment of expenses and the trial court refused to grant the application on the ground that it was not prepared to call any person as a witness on behalf of the court unless and until both the prosecution and defence have closed their cases. A copy of the trial court's order is enclosed (marked J).

Para 9 (i). The applicant appears to say that I sanctioned the institution of the proceedings against the applicant. This is not a fact. Mr. C.B.B.Glee, who was then the District Magistrate,Kanara, did make it, and for the reasons stated above, I refused to issue the commission for the examination of the two prisoners at Belgaum.

There is nothing on record to show that the applicant will not be enabled to have a fair and just trial in this district.

I therefore request you to appear in the High Court on the date on which the application may come up for hearing and oppose the application on the above grounds.

Your obedient servant,
Sd. B.S.Hiremath

District Magistrate,Kanara.

...

...ya Diwanji with compliments to the Secretary ... Government,Public Department, for information ... reference of this office letter No. ... dated 26/7/8... ... Government express ... No. S.D. 4988 dated ... 1987.

District Magistrate ,Kanara.

an application to summon the two prisoners(witnesses) cited for the defence as witnesses/ on behalf of the Court. This was the third attempt to avoid payment of expenses and the trial court refused to grant the application on the ground that it was not prepared to call any person as a witness on behalf of the court unless and until both the prosecution and defence have closed their cases. A copy of the trial court's order is enclosed (marked J).

Para 9 (1). The applicant appears to say that I sanctioned the institution of the proceedings against the applicant. This is not a fact. Mr. C.B.B.Clee, who was then the District Magistrate, Kanara, did mark it, and for the reasons stated above, I refused to issue the commission for the examination of the two prisoners at Belgaum.

There is nothing on record to show that the applicant will not be enabled to have a fair and just trial in this district.

I therefore request you to appear in the High Court on the date on which the application may come up for hearing and oppose the application on the above grounds.

Your obedient servant,
Sd. R.S.Hiremath

District Magistrate, Kanara.

A.D.

Duly forwarded with compliments to the Secretary to Government, Home Department(Special), for information in continuation of this office letter No. 30 dated 26/7/ in reply to Government express letter No. S.D. 4988 dated [illegible].

District Magistrate, Kanara.

an application to summon the two prisoners(witnesses) cited for the defence as witnesses on behalf of the Court. This was the third attempt to avoid payment of expenses and the trial court refused to grant the application on the ground that it was not prepared to call any person as a witness on behalf of the court unless and until both the prosecution and defence have closed their cases. A copy of the trial court's order is enclosed (marked J).

Para 9 (1). The applicant appears to say that I sanctioned the institution of the proceedings against the applicant. This is not a fact, Mr. C.B.B.Clee, who was then the District Magistrate,Kanara, did sanction it, and for the reasons stated above, I refused to issue the commission for the examination of the two prisoners at Belgaum.

There is nothing on record to show that the applicant will not be enabled to have a fair and just trial in this district.

I therefore request you to appear in the High Court on the date on which the application may come up for hearing and oppose the application on the above grounds.

Your obedient servant
Sd. B.S.Hiremath

District Magistrate,Kanara.

P.D.

Copy forwarded with compliments to the Secretary to Government,Home Department(Special), for information in continuation of this office letter No. 30 dated 26/7/32 in reply to Government express letter No. S.D. 4988 dated 22nd July 1932.

District Magistrate, Kanara.

3

IN HIS MAJESTY'S HIGH COURT OF JUDICATURE AT BOMBAY.

Criminal Application No. of 1932.

(For Revision).

Pandurang Krishna Chandiwar of Kunta .... Applicant

Versus

(Original Accused).

EMPEROR. ... Opponent.

In the petition of the Petitioner above named.

Respectfully sheweth:-

(1) That the applicant is the printer, publisher and editor of a Kanarese weekly paper called the "Kanara News" published at Kunta.

(2) The issue of the "Kanara News", dated 25/-/3 contained in its news column, a report to the effect that one Gouramma Kom Venkatramaya and other lady Satyagrahis were alleged to have been beaten, abused and ill treated by the Police at Siddapur while they were under arrest and also a request to higher authorities to inquire into the matter.

(3) The Sub-Inspector of Police at Kunta has launched a prosecution against this applicant under section 17(2) of the Criminal Law Amendment Act (XIV of 1908) under instructions from the District Magistrate of Kanara and the case is now going on in the Court of the First Class Town Magistrate at Karwar. It is the case of the prosecution that the applicant helped the illegal activities of the Karnatak Provincial Congress Committee and its branches by publishing said "false and imaginary" report of beating and abusing etc. of the ladies by the Siddapur Police.

(4) The applicant pleaded not guilty and put in a certified copy of the said Gouramma etc., statement under 164 the Magistrate who tried her.

(5) Contrary to the provisions of law, while the prosecution to place all facts bearing on the matter of prosecution the prosecution have examined only two witnesses the Sub-Inspector of Police, Kunta who has no personal knowledge of anything whatsoever and the Police Sub-Inspector of Siddapur. They have not produced before the court the orderly of the

IN HIS MAJESTY'S HIGH COURT OF JUDICATURE AT BOMBAY.

Criminal Application No. of 1932. 41-D 89

(For Transfer).

Pandurang Krishna Shanbhag of Kumta ..... Applicant.

Versus (Orig.Accused).

I M P E R A T O R. ..... Opponent.

The humble Petition of the Petitioner above-named

Respectfully sheweth:-

(1) That the applicant is the printer, publisher and editor of a Kanarese Weekly paper called the "Kanara News" published at Kumta.

(2) The issue of the "Kanara News", dated 25/4/32 contained in its news column, a report to the effect that one Gouramma Pem Venkatramaya and other lady Satyagrahis were alleged to have been beaten, abused and ill-treated by the Poli at Siddapur while they were under arrest and also a request to higher authorities to inquire into the matter.

(3) The Sub-Inspector of Police at Kumta has launched a prosecution against this applicant under section 17(2) of the Criminal Law Amendment Act (XIV of 1908) under instructions from the District Magistrate of Kanara and the case is now going on in the Court of the First Class Town Magistrate at Karwar. It is the case of the prosecution that the applicant helped the illegal activities of the Karnatak Provincial Congress Committee and its branches by publishing said "false and imaginary " report of beating and abusing etc of the ladies by the Siddapur Police.

(4) The applicant pleaded not guilty and put in a certified copy of the said Gouramma etc., statement made before the Magistrate who tried her.

(5) Contrary to the provisions of law, which requires the prosecution to place all facts bearing on the subject of prosecution the prosecution have examined only the complainant the Sub-Inspector of Police, Kumta who has no personal knowledge of anything whatsoever and the Police Sub-Inspector of Siddapur They have not produced before the court the orderly of the

IN HIS MAJESTY'S HIGH COURT OF JUDICATURE AT BOMBAY.

Criminal Application No. of 1932.

(For Transfer).

Pandurang Krishna Shanbhag of Kumta . . . . . Applicant.

Versus (Orig Accused).

I M P E R A T O R, ... Opponent.

The humble Petition of the Petitioner above named.

Respectfully sheweth:-

(1) That the Applicant is the printer, publisher and editor of a Kanarese Weekly paper called the "Kanara New published at Kumta.

(2) The issue of the "Kanara News", dated 25/4/3 contained in its news column, a report to the effect that one Gouramma Kom Venkatramaya and other lady Satyagrahis were alleged to have been beaten, abused and ill treated by the Po at Siddapur while they were under arrest and also a request to higher authorities to inquire into the matter.

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(4) The applicant pleaded not guilty and put in a certified copy of the said Gouramma etc., statement made bef the Magistrate who tried her,

(5) Contrary to the provisions of law, which req the prosecution to place all facts bearing on the subject of prosecution the prosecution have examined only the complainan the Sub-Inspector of Police, Kumta who has no personal knowle of anything whatsoever and the Police Sub-Inspector of Siddapu They have not produced before the court the orderly of the

Police, ~~xxxx~~ Sub-Inspector, who is alleged to have supplied all information to the complainant; not have they produced the Police Inspector, Mr.Mangoli and others who ~~xxx~~ are alleged by the said Gouramma and ors to have beaten and abused them (Gouramma and others).

(6) After the case for the prosecution was closed this applicant gave through his pleaders a list of witnesses to be examined on behalf of the defence. The trying Magistrate refused to issue summonses to the witnesses at Government cost, and ordered that accused should bear their expenses if he wanted the witnesses. As two of the said witnesses, Gouramma and Kavergamma were undergoing imprisonment in the Hindalgi Jail (near Belgaum), an application was made to the trying Magistrate to have a commission issued for the examination of these two ladies at the place where they were lodged in Jail, as otherwise they would have to be brought under Police escort all the way from Belgaum- a distance of about 150 miles - in this rainly season at great inconvenience to themselves and also to Government authorities and at considerable cost. The application was granted on 6/7/32 and notice to that effect was sent to the applicant on 7/7/1932.

(7) But on 11/7/1932 the District Magistrate of Kanara for reasons not easily understood declined to issue a commissi-on for the examination of the said two ladies undergoing imprisonment in the Hindalgi Jail. The trying Magistrate intimated this fact to the applicant by the notice dated 13/7/1932 and ordered him to deposit Rs. 70/- on or before 18/7/1932 in his court if he wanted those witnesses to be summoned. The demand of such a heavy deposit for examining the very witnesses whose beating was alleged to be false and who therefore should have been examined by the prosecution, coupled with the refusal to issue a commission led the accused honestly to believe that no facility was being afforded to him for a fair and just trial but on the other hand every impediment was being steadily placed in his

way of defending himself and placing the true facts before the court from the mouths of the victims themselves as alleged.

(8) On the next day of hearing, viz., 26/7/1932 the applicant's pleader urged that in the above circumstances the examination of the said two ladies being essential for justice in the case the court may exercise its powers under section 540 of the Criminal Procedure Code and summon the two ladies as court witnesses. That application was also rejected.

(9) Under the circumstances the applicant xxxxx humbly approaches your Lordship with a prayer that your Lordships be pleased to transfer the case to any other district on the following among other grounds:-

(i) that the atmosphere prevailing in this district whose District Magistrate is said to have sanctioned the above prosecution and has refused to issue the permission which should have otherwise been ordinarily issued, is not favourable to him.

(ii) that the applicant apprehends that he will not be enabled to have a fair and just trial in this district at the hands of any Magistrate subordinate to the said District Magistrate.

And for this act of kindness, your Lordship's petitioner, as in duty bound for ever pray.

Sd. ... Pillai,

Advocate for the applicant.

Police, ~~Kumta~~ Sub-Inspector, who is alleged to have supplied all information to the complainant; nor have they produced the Police Inspector, Mr.Mangoli and others who ~~are~~ are alleged by the said Gouramma and others to have beaten and abused them (Gouramma and others).

(6) After the case for the prosecution was closed this applicant gave through his pleaders a list of witnesses to be examined on behalf of the defence. The trying Magistrate refused to issue summonses to the witnesses at Government cost, and ordered that accused should bear their expenses if he wanted the witnesses. As two of the said witnesses, Gouramma and Kaveramma were undergoing imprisonment in the Hindalgi Jail (near Belgaum), an application was made to the trying Magistrate to have a commission issued for the examination of these two ladies at the place where they were lodged in jail, as otherwise they would have to be brought under police escort all the way from Belgaum - a distance of about 150 miles - in this rainly season at great inconvenience to themselves and also to Government authorities and at considerable cost. The application was granted on 6/7/32 and notice to that effect was sent to the applicant on 7/7/1932.

(7) But on 11/7/1932 the District Magistrate of Kanara for reasons not easily understood declined to issue a commission for the examination of the said two ladies under going imprisonment in the Hindalgi Jail. The trying Magistrate intimated this fact to the applicant by the notice dated 13/7/1932 and ordered him to deposit Rs. 70/- on or before 18/7/1932 in his court if he wanted those witnesses to be summoned. The demand of such a heavy deposit for examining the very witness whose beating was alleged to be false and who therefore should have been examined by the prosecution, coupled with the refusal to issue a commission led the accused honestly to believe that no facility was being afforded to him for a fair and just trial but on the other hand every impediment was being steadily placed in his

way of defending himself and placing the true facts before the court from the points of prejudice themselves as alleged.

(8) On the next date of hearing, viz., 23/7/1932 the applicant's pleader urged that in the above circumstances the examination of the said two ladies being essential for justice in the case the court may exercise its power under section 540 of the Criminal Procedure Code and examine the two ladies as court witnesses, but application was also rejected.

9. Under the circumstances the applicant most humbly approaches your Lordship with a prayer that your Lordships be pleased to transfer the case to any other district on the following among other grounds:-

(i) That the atmosphere prevailing in this district where District Magistrate is said to have sanctioned the above prosecution and has refused to issue the requisition as would have otherwise been ordinarily issued, is highly unfavourable to him.

(ii) That the applicant apprehends that he will not be enabled to have a fair and just trial in this district at the hands of any Magistrate subordinate to the said District Magistrate.

In view of the above circumstances, your Lordships' petitioner, as in duty bound for ever pray.

Sd. [illegible] Jahangirdar.

Advocate for the applicant.

Police, ~~Xxxxx~~ Sub-Inspector, who is alleged to have supplied all information to the complainant; nor have they produced the Police Inspector, Mr.Mangeli and others who ~~xxxx~~ are alleged by the said Gouramma and others to have beaten and abused them (Gouramma and others).

(6) After the case for the prosecution was closed this applicant gave through his pleaders a list of witnesses to be examined on behalf of the defence. The trying Magistrate refused to issue summonses to the witnesses at Government cost, and ordered that accused should bear their expenses if he wanted the witnesses. As two of the said witnesses, Gouramma and Kavergamma were undergoing imprisonment in the Hindalgi Jail (near Belgaum), an application was made to the trying Magistrate to have a commission issued for the examination of these two ladies at the place where they were lodged in jail, as otherwise they would have to be brought under police escort all the way from Belgaum - a distance of about 150 miles - in this rainy season at great inconvenience to themselves and also to Government authorities and at considerable cost. The application was granted on 6/7/32 and notice to that effect was sent to the applicant on 7/7/1932.

(7) But on 11/7/1932 the District Magistrate of Belgaum for reasons not easily understood declined to issue a commission for the examination of the said two ladies undergoing imprisonment in the Hindalgi Jail. The trying Magistrate intimated this fact to the applicant by the notice dated 13/7/1932 and ordered him ~~xxx~~ to deposit Rs. 70/- on or before 13/7/1932 in his court if he wanted these witnesses to be summoned. The demand of such a heavy deposit for examining the very witnesses whose beating was alleged to be false and who therefore should have been examined by the prosecution, coupled with the refusal to issue a commission left the accused honestly to believe that no facility was being afforded to him for a fair and just trial but on the other hand every impediment was being steadily placed in his

[illegible] the applicant's [illegible]
[illegible] the examination of the [illegible]
[illegible] under section 240 of the [illegible]
[illegible] also rejected.

(9) Under the circumstances the applicant most humbly approaches your Lordship with [illegible] shall be pleased to [illegible] on the following amongst other grounds:-

(i) That the [illegible] whose district headquarter is said to have [illegible] more than [illegible] should have [illegible] unfavourable to him.

(ii) That the applicant [illegible] be called to have [illegible] at the hands of any [illegible] District Magistrate.

That it is [illegible]

Yours [illegible]

Advocate for the Applicant.

Police, Kerke Sub-Inspector, who is alleged to have supplied all information to the complainant; and have they produced the Police Inspector, Mr.Mangoli and others who are alleged by the said Gouramma and others to have beaten and abused them (Gouramma and others).

(6) After the case for the prosecution was closed this applicant gave through his pleaders a list of witnesses to be examined on behalf of the defence. The trying Magistrate refused to issue summonses to the witnesses at Government cost, and ordered that accused should bear their expenses if he wanted the witnesses. Of two of the said witnesses, Gouramma and Kaveramma were undergoing imprisonment in the Hindalgi Jail (near Belgaum), and application was made to the trying Magistrate to have a commission issued for the examination of these two ladies at the place where they were lodged in jail, as otherwise they would have to be brought under police escort all the way from Belgaum- a distance of about 150 miles - in the rainy season at great inconvenience to themselves and also to Government authorities amidst considerable cost. The application was granted on 6/7/32 and notice to that effect was sent to the applicant on 7/7/1932.

(7) But on 11/7/1932 the learned Assistant Sessions Judge for reasons not easily understood declined to issue a commission to the examination of the said two ladies undergoing imprisonment in the Hindalgi Jail. The trying Magistrate intimated this fact to the applicant by his letter dated 18/7/1932 and ordered him to deposit Rs. 70/- on or before 18/7/1932 in his court if he wanted those witnesses to be summoned. The demand of such a heavy deposit for examining the very witnesses whose beating was alleged to be false and who therefore should have been examined by the prosecution, coupled with the refusal to issue a commission left the accused honestly to believe that no facility was being afforded to him for a fair and just trial but on the other hand every impediment was being steadily placed in his

[illegible]

(f) [illegible]

[illegible]

(g) Under the circumstances the applicant most humbly approaches your Lordship with a prayer that your Lordship be pleased to transfer the case to any court of competent jurisdiction on the following among other grounds:-

(i) that the atmosphere prevailing in the district Magistrate's court is such as bars reasonably the above prosecution and has refused to grant the application as it would have otherwise been ordinarily inclined to do, is unfavourable to him.

(ii) that the applicant apprehends that he will not be enabled to have a fair and just trial in this Court at the hands of any Magistrate subordinate to the said District Magistrate etc.

And for this act of kindness, your Lordship's petitioner, as in duty bound for ever pray.

Sd. [illegible]

Advocate for the applicant.

The programme of Satyagraha contained in a pamphlet dated 5/1/1932 issued by the President of the Karnataka Provincial Congress Committee.

MHD 93

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x x x x

9. No-tax campaign to be undertaken wherever feasible.

Particularly this year, the ryots are in a helpless condition. No-tax campaign should be started in all places where the public opinion is unanimously or in a majority. The local leaders should assume the responsibility and get every thing ready for it. The people on the areas where no-tax campaign will be started must be ready to make some self sacrifices. The no-tax campaign is an important item in this year's satyagraha programme. Realising the importance both leaders and the people should prepare for the same. The fire of no-tax campaign should spread everywhere as early as possible.

The programme of the Satyagraha contained in a leaflet dated 5/1/1932 issued by the President of the Karnataka Provincial Congress Committee.

HT-D 93

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x x x x

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93

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....

P.D.

Resolutions of the first working committee of the Siddapur Taluka Congress Committee contained in a letter dated 10/2/1932.

x x x x

Resolution No. 8.

We request that none should bid for any movable or immovable property unjustly attached from the poor royals of this Taluka and put to auction. Any man who does so will be considered as traitor of his country and will have to answer for it before God.

x x x x

Resolutions of the first working committee of the Siddapur Taluka Congress Committee contained in a letter dated 20/2/1932.

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x x x x

Resolution No. 8.

We request that none should bid for any movable or immovable property unjustly attached from the peasantry of this Taluka and put to auction. Any man who does so will be considered as traitor of his country and will have to answer for it before God.

x x x x

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P.D.

Resolution No. 4 passed in the Sirsi Taluka Congress Committee meeting held on Sirsi dated 20/2/1938.

x x x x "

Resolution No. 5.

We request that none should bid for any movable or immovable property unjustly attached from the poor ryots of this Taluka and put to auction. Any man who does so will be considered as traitor of this country & will have to answer for it before God.

x x x x

No-tax bulletin No. 7 dated 17/8/1932 issued by the War council, Siddapur.

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x x x x

Whether the war is continued or a settlement is arrived at, or whether the war continues for one year or years, we have taken a vow that as long as there is life in us, we shall not sit quiet unless and until we realise to the rayats of Siddapur Taluk their property sold in auction sale on account of no-tax campaign. Our sisters have come forward in order to execute our determination and have already been able to get back some cattle and other things from the purchasers by resorting to hunger strike. Our sisters will practise the same method on all sides more vigorously and thus impress upon the mind of purchasers the knowledge of the sin of purchasing the property of the satyagrahis. They (sisters) have also taken a great vow that unless they get back the property from the purchasers they will not take their food, they will not show their faces again in the village and will put an end to their lives.

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HD
99

No-tax bulletin No. 7 dated 17/4/1932 issued by the War council, Siddapur.

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x x x x

Whether the war is continued or a settlement is arrived at, or whether the war continues for one year or ten years, we have taken a vow that so long as there is life in us, we shall not sit quiet unless and until we restore to the ryots of Siddapur taluka their property sold in auction sale on account of no-tax campaign. Our sisters have come forward in order to execute our determination and have already been able to get back some cattle and other things from the purchasers by practising the hunger strike. Our sisters will practise the same method on all sides more vigorously and thus impress upon the mind of the purchasers the knowledge of the sin of purchasing the property of non satyagrahis. They (sisters) have also taken a great vow that unless they get back the property from the purchasers they will not take their food, they will not show their faces again in the village and will put an end to their lives.

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MI-D
97

No-tax bulletin No. 7 dated 17/4/1932 issued by the War council, Siddapur.

-0-

x x x x

Whether the war is continued or a settlement is arrived at, or whether the war continues for one year or ten years, we have taken a vow that as long as there is life in us, we shall not sit quiet unless and until we restore to the rayats of Siddapur Taluka their property sold in auction sale on account of no-tax campaign. Our sisters have come forward in order to execute our determination and have already been able to get back some cattle and other things from the purchasers by ~~restoring to~~ resorting to hunger strike. Our sisters will practise the same method on all sides more vigorously and thus impress upon the mind of the purchasers the knowledge of the sin of purchasing the property of the satyagrahis. They (sisters) have also taken a great vow that unless they get back the property from the purchasers they will not take their food, they will not show their faces again in the village and will put an end to their lives.

The Kanara News dated 26th April 1932 publishes the following news regarding the alleged police atrocities in the Siddapur Taluka, District Kanara.

The important news of the week is that of the atrocities committed by the police on Mrs. Gauramma. As Mrs. Gouramma and her four associates used to return the auctioned goods to their owners after recovering them from the bidders at auction sales, the number of bidders at auction sales began to decrease. The police therefore, arrested Mrs. Gouramma and her four associates at Harisaval, taluka Siddapur and brought them to Siddapur. It is rumoured that the police committed atrocities on them at Siddapur. The police used abusive language against them and beat them. After releasing her associates the police abused and beat Mrs. Gauramma again. In such condition Mrs. Gauramma was taken to Sirsi, District Kanara and sentenced to six months' rigorous imprisonment. Mrs. Gauramma was on hunger strike insisting that an enquiry should be held ~~xxx~~ regarding the atrocities committed against her, but she has now yielded to the public pressure and begun to take food. The doctor has opined that owing to her severe injuries she is not in a position to be taken to the Karwar jail. The doctor's opinion alone is sufficient to show the extent of the atrocities committed against Mrs. Gauramma. The people of the Sirsi and Siddapur talukas are exasperated owing to the atrocities committed against Mrs. Gauramma. It is therefore, necessary that the higher authorities should inquire into the above mentioned atrocities.

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P.D.

The Kanara News dated 25th April 1932 publishes the following news regarding the alleged police atrocities in the Siddapur Taluka, District Kanara.

The important news of the week is that of the atrocities committed by the police on Mrs. Gauramma. As Mrs. Gouramma and her four associates used to return the confiscated goods to their owners after recovering them from the bidders at auction sales, the number of bidders at auction sales began to decrease. The police therefore, arrested Mrs. Gouramma and her four associates at Karkisgoal, taluka Siddapur and brought them to Siddapur. It is rumoured that the police committed atrocities on them at Siddapur. The police used abusive language against them and beat them. After releasing her associates the police abused and beat Mrs. Gouramma again. In such condition Mrs. Gouramma was taken to Sirsi, District Kanara and sentenced to six months' rigorous imprisonment. Mrs. Gouramma was on hunger strike insisting that an enquiry should be held xxxx regarding the atrocities committed against her, but she has now yielded to the public pressure and begun to take food. The doctor has opined that owing to her severe injuries she is not in a position to be taken to the Karwar jail. The doctor's opinion alone is sufficient to show the extent of the atrocities committed against Mrs. Gouramma. The people of the Sirsi and Siddapur taluka are exasperated owing to the atrocities committed against Mrs Gouramma, It is therefore, necessary that the higher authorities should inquire into the above mentioned atrocities

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J.B.

The Kanara News dated 25th April 1932 publishes the following news regarding the alleged police atrocities in Siddapur Taluka, District Kanara.

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H1-D 99

The important news of the week is that of the atrocities committed by the police on Mrs. Gauramma. As Mrs. Gouramma and her four associates used to return the confiscated goods to their owners after recovering them from the bidders at auction sales, the number of bidders at auction sales began to decrease. The police therefore, arrested Mrs. Gouramma and her four associates at Karkisaval, taluka Siddapur and brought them to Siddapur. It is rumoured that the police committed atrocities on them at Siddapur. The police used abusive language against them and beat them. After releasing her associates the police abused and beat Mrs. Gauramma again. In such condition Mrs. Gauramma was taken to Sirsi, District Kanara and sentenced to six months' rigorous imprisonment. Mrs. Gauramma was on hunger strike insisting that an enquiry should be held regarding the atrocities committed against her, but she has now yielded to the public pressure and begun to take food. The doctor has opined that owing to her severe injuries she is not in a position to be taken to the Karwar Jail. The doctor's opinion alone is sufficient to show the extent of the atrocities committed against Mrs. Gauramma. The people of the Sirsi and Siddapur talukas are exasperated owing to the atrocities committed against Mrs. Gauramma. It is therefore, necessary that the higher authorities should inquire into the above mentioned atrocities.

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H.D.

Statement of Mrs. Gauravva Kom Venkuraya Shetty (P.W.) in No. C. 33/1/41-1933 in the Summary Court of Mr. V.A. Subba Rao, Magistrate First Class, Udupi

-v-

Accused: (1) to (10)

It is a fact that I had gone with my party to Venkatesappa's house that day; at that time, the inmates of his house had taken their meals and slept. On our going they offered us a mat to sit upon. We were sitting and were talking with them. Meanwhile the Circle Inspector, the Shanbhog and two policemen came there. They told us that we were going from house to house on Congress work, and that if we are discovered we will stop doing it. I told them that they can discover. The women of my party then proceeded to Gajendragad; after; the police prevented them from going. They then set the women's clothes fly on our faces. After this we left the place. The policemen then abused us, and the Circle Inspector and Shanbhog kept themselves laughing. Meanwhile they told that we were under arrest and told to go to the Sub-Inspector of Police. We refused to go on foot. They then took us in cart to Siddapur. The two men of our party were beaten; who beat them I cannot say. When I alighted from the cart at Siddapur a person named Govindan beat me with whip on the back. The police inspector then abused me. The Sub-Inspector then gave me a stroke with a cane on my left leg. Then some other police men beat me on the neck back, and also poked me on my back with the butt-end of the rifle. Then somebody at night beat me on the right knee. Some body then dragged me from the road. One of my companions who came to my rescue, was also beaten. The police inspector then kept us waiting in the police quarters and we were let off at about 11 P.M. asking us to come on the next day. On the next day (Sunday) at 9 A.M., we went to the Police Quarters. The police Inspector again abused us and asked us that we would do if disgraced. He then for three hours he abused us and caused us to [illegible]

Ext. 1-B

Statement of Mrs. Saraswathi Ram Venkatraman in Case No. C. 33/1/41-1952 in the summary court of Mr. V. T. Telang, Magistrate, Ilnd Class, Tirupati.

HLD 101

Accused's statement

It is a fact that I had gone with my party to Chinnadevappa's house that day; at that time the inmates of his house had taken their meals and slept. On our going they offered us a mat to sit upon. We accordingly sat and were talking with them. Meanwhile the Hindu Circle Inspector, the Shanbhog and two police men came there. They told that we were going from house to house on Congress work, and that if we are disgraced we will stop doing so. I told them that they can disgrace us. The women in my party then proceeded to go for making water; the police prevented them from going. They then let the smoke of tear bombs fly on our faces. After this we left the place. The policemen then abused us, and the Circle Inspector and Shanbhog kept themselves laughing. They then said that we were under arrest and told to go to the Sub-Inspector of police. We refused to go on foot. They then took us in a cart to Siddapur. The two men of our party were beaten; who beat them I cannot say. Then I alighted from the cart at Siddapur a person named Govinda beat me with a cane on the back. The police inspector then abused me. The Sub-Inspector then gave me a stroke with a cane on the left leg. Then one other police man beat me on the back back, and also poked me on my back with the buttend of the gun. Then somebody at night beat me on the right knee. Some body then dragged me from the crowd. One of my companions who came to my rescue, was also beaten. The police Inspector then kept me waiting in the police camera and we were let off at about 11 P.M. asking us to come on the next day. On the next day (Sunday) at 10 A.M., we went to the police head quarters. The police inspector again abused us and asked us what we would do if disgraced. For hour or five hours he abused us and asked me to tender an apology. I refused

Ext. 1-B

C413

Statement of Mrs. Gauramma Kom Venkataraman in case No. S. 33/1/41-1932 in the summary court of Mr. V.A. Telang Magistrate First Class, Sirsi.

-0-

1-D
101

4. Accused's statement.

It is a fact that I had gone with my party to Shadevappa's house that day; at that time, the inmates of his house had taken their meals and slept. On our going they offered us a mat to sit upon. We accordingly sat and were talking with them. Mean while the witness Circle Inspector, the shanbhog and two police men came there. They told that we were going from house to house on Congress work, and that if we are disgraced we will stop doing so. I told them that they can disgrace us. The women in my party then proceeded to go for making water; the police prevented them from going. They then let the smoke of their bidis fly on our faces. After this we left the place. The police men then abused us, and the Circle Inspector and Shanbhog kept themselves laughing. They then said that we were under arrest and told to go to the Sub-Inspector of police. We refused to go on foot. They then took us in a cart to Sidapur. The two men of our party were beaten; who beat them I cannot say. Then I alighted from the cart at Sidapur a person named Devidas beat me with a cane on my back. The police inspector then abused me. The police constable gave me a stroke with a cane on the left cheek. Then police inspector and men beat me on the back back, and also poked me on my back with the buttend of the gun. Then somebody at night beat me on the right knee. Some women were released from the court. One of my companions the name of Lakshmi came, was also beaten. The police inspector then kept us sitting in the police quarters and we were let off at about 11 p.m. sending us to come on the next day. On the next day (Sunday) at 10 a.m., we went to the police quarters. The police inspector again abused us and asked us what we would do if disgraced. For four or five hours he abused us and asked me to tender an apology, I refused

We fled the area and we kept ourselves in the background. In the evening the Inspector again came; he beat me again though the Sub-Inspector told him not to do so. My clothes were torn damaged and I ran out like one lost. Again he was coming to the lock-up and shouting me. The Police Sub-Inspector then stopped the Inspector from coming to the lock-up. On account of this ill-treatment I had not taken food.

It is true that I had told Mahadevappa that he should restore the she-buffalo or give me its prices. This I did in the interest of the poor defaulter whose animal had been attached. It is also a fact that I had told Mahadevappa that unless he met our demand we will keep ourselves on the door way of his house fasting till finished to death.

Sir,

21/6/1942.

Sd. T.C.Telang,
Magistrate, First Class,
Sirsi.

P.P.

HI-D/165

This is to certify that I had examined Mrs. [illegible] in the sub-jail on the 14th April 1932 and found the following injuries on her body.

(1) One superficial round contusion on the lower and inner aspect of the right leg of the size of a [illegible].

In my opinion that above injury must have been caused by coming in contact with some hard and blunt substance.

Sd. V.V.[illegible],
Medical Officer,
I/C Hingoli, Buldana.

No. 106,
2/4/1932.

to do so. We went and we kept ourselves in the kacheri. In the evening the Inspector again came; he beat me again though the Sub-Inspector told him not to do so. My clothes were then damaged and I was put into the lock. Again he was coming to the lock-up and abusing me. The Police Sub-Inspector then stopped the Inspector from coming to the lock-up. On account of this ill-treatment I had not taken food.

It is true that I had told Mahadevappa that he should restore the she-buffalo or give me its price. This I did in the interest of the poor defaulter whose animal had been attached. It is also a fact that I had told Mahadevappa that unless he let our demand we will keep ourselves on the door way of his house fasting till he yielded to death.

Sirsi

21/4/1932.

Sd. V. V. Velang,
Magistrate, First Class,
Sirsi.

P.D.

H1-D/105

This is to certify that I had examined Mrs. Gouramma in the sub-jail on the 18th April 1932 and found the following injuries on her body,

(1) One superficial round contusion on the lower and inner aspect of the right leg of the size of a lemon.

In my opinion that above injury must have been caused by coming in contact with some hard and blunt substances.

Sd. T.V.Nagle,
Medical Officer,
I/C Dispensary, Siddapur.

No. 10.
2/5/1932.

o do so. He went and we kept ourselves in the kadiari. In the evening the Inspector again came; he beat me again though the Sub-Inspector told him not to do so. My clothes were then changed and I was put into the lock. Again he was coming to the lock-up and abusing me. The Police Sub-Inspector then stopped the Inspector from coming to the lock-up. On account of this ill-treatment I had not taken food.

It is true that I had told Mahadevappa that he should restore the she-buffalo or give me its prices. This I did in the interest of the poor defaulter whose animal had been attached. It is also a fact that I had told Mahadevap a that unless he met our demand we will keep ourselves on the door way of his house fasting till famished to death.

Sirsi

31/4/1933.

Sd. V.A.Telang,
Magistrate, First Class,
Sirsi.

H1-D/105 F.H.C. 103

This is to certify that I had examined Mrs. Gouramma in the sub-jail on the 18th April 1932 and found the following injuries on her body,

(1) One superficial round contusion on the lower and inner aspect of the right leg of the size of a lemon.

In my opinion that above injury must have been caused by coming in contact with some hard and blunt substance.

Sd. V.V.Nagle,
Medical Officer,
I/Ch Dispensary, Sidapur.

No. 105.
2/5/1932.

No. 14 of 1932.
Sirsi Dispensary, 22/4/1932. P1-D/104

This is to certify that Gouramma Venkatramanaya was examined by me, in the lock up at Sirsi, on 21st April 1932 at 3-30 P.M. and the following injuries were seen on her person.

(1) A superficial contusion of 2 anna silver piece size on the right knee.

(2) A superficial contusion smaller than the above on the left leg on the posterior side at its upper 1/4th.

(3) She complains of pain in back and arms but no marks of injuries are seen.

These injuries are of a simple nature and are likely to be caused by the parts coming in contact with some hard and blunt substance.

The above injuries may be more than 2 or 3 days old.

Sirsi,
22/4/1932.

Sd. P.Bhoj,
B.H.S. Medical Officer,
Pandit Dispensary, Sirsi.

P.D.

No. 14 of 1932.

Sirsi Dispensary, 22/4/1932.

This is to certify that Gouramma Venkatramanaya was examined by me, in the lock up at Sirsi, on 21st April 1932 at 3-30 P.M. and the following injuries were seen on her person.

(1) A superficial contusion of 2 anna silver piece size on the right knee.

(2) A superficial contusion smaller than the above on the left leg on the posterior side at its upper 1/4th.

(3) She complains of pain in back and arms but no mark of injuries are seen.

These injuries are of a simple nature and are likely to be caused by the parts coming in contact with some hard and blunt substance.

The above injuries may be more than 2 or 3 days old.

Sirsi,
22/4/1932.

Sd. P.Bhoj,
B.M.S. Medical Officer,
Pandit Dispensary, Sirsi.

P.D.

No. 14 of 1952.
Sirsi Dispensary, 22/4/1952.

This is to certify that Gouramma Venkatramanayalamma examined by me, in the lock up at Sirsi, on 21st April 1952 at 5-30 P.M. and the following injuries were seen on her person.

(1) A superficial contusion of 3 annas silver piece size on the right knee.

(2) A superficial contusion smaller than the above on the left leg on the posterior side at its upper 1/4th.

(3) She complains of pain in back and arms but no marks of injuries are seen.

These injuries are of a simple nature and are likely to be caused by the parts coming in contact with some hard and blunt substance.

The above injuries may be more than 2 or 3 days old

Sirsi,
22/4/1952.

Sd. P.Bhoj,
B.M.S. Medical Officer,
Pandit Dispensary, Sirsi.

.D.

No. C/5536.

Office of the District Magistrate, Kanara.

Karwar, 11th July 1942.

hlD 109

S.I.N.C.

With reference to his letter No. S. 83/1/40 dated 7th July 1942 requesting the District Magistrate to issue a commission for the examination of two defence witnesses residing in the Belgaum Central Jail, the Magistrate First Class, Karwar Town, is informed that the District Magistrate is not inclined to issue the commission. The witnesses can be brought from Belgaum to Karwar one day, provided the accused deposits the amount of expenses estimated by the Magistrate. The issue of a commission involves unnecessary expenses to Government on account of the travelling allowance of the police prosecutor who will be required to attend the Court of the Magistrate, executing the commission at Belgaum and also delay.

Sd. R.S.Hiremath,

District Magistrate, Kanara.

To,

The Magistrate, F.C. Karwar Town.

No. C/5586.

Office of the District Magistrate, Kanara.

Karwar, 11th July 1952.

hlD 109

M E M O.

With reference to his letter No. S. 33/1/40 dated 7th July 1952 requesting the District Magistrate to issue a commission for the examination of two defence witnesses confine in the Belgaum Central Jail, the Magistrate First Class, Karwar Town, is informed that the District Magistrate is not inclined to issue the commission. The witnesses can be brought from Belgaum to Karwar one day, provided the accused deposits the amount of expenses estimated by the Magistrate. The issue of a commission involves unnecessary expenses to Government on account of the travelling allowance of the police Prosecutor who will be required to attend the Court of the Magistrate, executing the commission at Belgaum and also delay.

Sd. R.S.Hiremath,

District Magistrate, Kanara.

To,

The Magistrate, F.C. Karwar Town.

No. O/5596.

Office of the District Magistrate, Kanara.

Karwar, 11th July 1932.

hID 109

M E M O.

With reference to his letter No. S. 33/1/40 dated 7th July 1932 requesting the District Magistrate to issue a commission for the examination of two defence witnesses confined in the Belgaum Central Jail, the Magistrate First Class, Karwar Town, is informed that the District Magistrate is not inclined to issue the commission. The witnesses can be brought from Belgaum to Karwar one day, provided the accused deposits the amount of expenses estimated by the Magistrate. The issue of a commission involves unnecessary expenses to Government on account of the travelling allowance of the Police Prosecutor who will be required to attend the Court of the Magistrate, executing the commission at Belgaum and also delay.

Sd. R.D.Tirumal,
District Magistrate, Kanara.

To,

The Magistrate, 1st Class, Karwar Town.

On the court of the Addl First Class, Magistrate, Karur Town.

Emperor versus Pandurang Krishna, accused.

Submitted for the above accused:-

The charge in this case has a reference to the allegations regarding the beating and abusing of Kouramma by the police published in the news paper being false and baseless. To show that the said allegations are thus unfounded and false, the prosecution have examined only the Police Sub-Inspector of Siddapur. We have produced the statement of Kouramma made in the case against her and it will be seen that she had made these allegations therein. To disprove them and to show that they are false not even the very persons involved by her in the affair and against whom she has made various allegations, have been examined in the case on behalf of the prosecution. Mr. Mangoli against whom she has alleged the police Inspector and whose presence there at the time in question is admitted by the police Sub-Inspector examined, has not at all been examined by the prosecution. Now the very person who is alleged to have been beaten viz., Kouramma and the other lady who was in her company on some of those occasions viz., Kaveramma, these two ladies would be the best persons to speak about the reality of this incident or otherwise. It should have been the primary duty of the prosecution to disprove the allegations regarding the beating of Kouramma by examining the very lady alleged to have been beaten, and also the other lady alleged to be present on the occasion not especially so, as both these ladies are in their custody and the accused undergoing their sentence in Bangalore Jail. Whom could have been easier to have examined? However they have studiously avoided doing any such thing and have contended themselves by examining only the police Sub-Inspector of Siddapur. As it will be clearly realised that the examination of these two ladies would indeed be essential to the right decision of this case, and as these ladies have been in the custody of prosecution it is but meet that the Honourable Court may be pleased in the

In the court of the Additional First Class, Magistrate, Kurunegala.

Inspector Weerasena Gajadeera Ajithsena Complainant

Vs.

Dr. Mrs. Ranjini Kamalawathie Wijesinghe Accused.

Submitted for the above accused:-

The charge in this case has a reference to the allegations regarding the beating and abusing of Gowrama by the police published in the news paper being false and baseless. To show that these allegations are thus unfounded and false, the prosecution have examined only the Police Sub-Inspector of Giriyama. We have produced the statement of Gowrama made in the case against her and it will be seen that she had made these allegations the 1st. To disprove them and to show that they are false not even the very persons involved by her in the affair and whom she has made various allegations, have been examined in the case on behalf of the prosecution. Mr. Mangoli points them she has alleged the police Inspector and those persons that at the time in question is admitted by the police Sub-Inspector examined, was not at all to be examined by the prosecution. For the very person, she is alleged to have been beaten viz., Gowrama and the other lady who was in her company on some of those occasions viz., Weerasena, these two ladies could be the best persons to speak about the reality of the incident or otherwise. It should have been the primary duty of the prosecution to disprove the allegations regarding the beating of Gowrama by examining the very lady alleged to have been beaten, and also the other lady alleged to be present on the occasion. But unfortunately or, as have these ladies are in whose custody they are, as we have understood they have studiously avoided doing any such thing and have concealed themselves or remaining only in the Police Inspector of Giriyama. It will be of course easily realised that the examination of these two ladies would intend be so critical to the prosecution of the case and as these ladies happen to be in the custody of prosecution, it is for you that the adverse report may be drawn in the

of [illegible] of the [illegible] that [illegible]
[illegible]
[illegible] [illegible]
published [illegible] above [illegible]

My [illegible] to [illegible] [illegible] to [illegible] allegations regarding my [illegible] and [illegible] by the [illegible] published [illegible] and [illegible], to which [illegible] have [illegible] the Police Sub-Inspector of Sialkot. I have drawn the statement of Nasreen made in the case [illegible] will be seen that she has made these allegations [illegible] To disprove them and to show that they are [illegible] very persons involved by her in the affair and [illegible] whom she has made various allegations have been examined in the case on behalf of the prosecution. Mr. [illegible] whom she has alleged the police inspector and [illegible] there at the time in question has [illegible] Investigator examined, was not at all been examined by the prosecution. Now the very person who is alleged to have been beaten viz., Kausar and the other lady who was in her company on some of those occasions viz., Ayesha, these two ladies would be the best persons to speak about the reality of this incident or otherwise. It would have been the primary duty of the prosecution to disprove the allegations regarding the beating of Kausar by examining the very ladies alleged to have been beaten, and also the other lady [illegible] to be present on the occasion more especially so, as [illegible] those ladies are in their custody being now remanded [illegible] their term in Kinchalan Jail. Nothing could have been easier for them, however they have studiously avoided this thing and have contented themselves by examining only the Police Sub-Inspector of Sialkot. It is [illegible] one can easily realised that the examination of those two ladies would indeed be essential to the prosecution [illegible] and of those ladies happen to be in the custody of [illegible] it is proper that [illegible] of [illegible] in

interest of justice even though the Judge of appeal discovers for himself fatal irregularities occurred in the case, after the statutory powers vested in the Court under section 423 of the Criminal Procedure Code. It is settled law that the present case could be one of the cases for the exercise of discretion by the Court already mentioned above.

8th July 1948. Sd. [illegible],

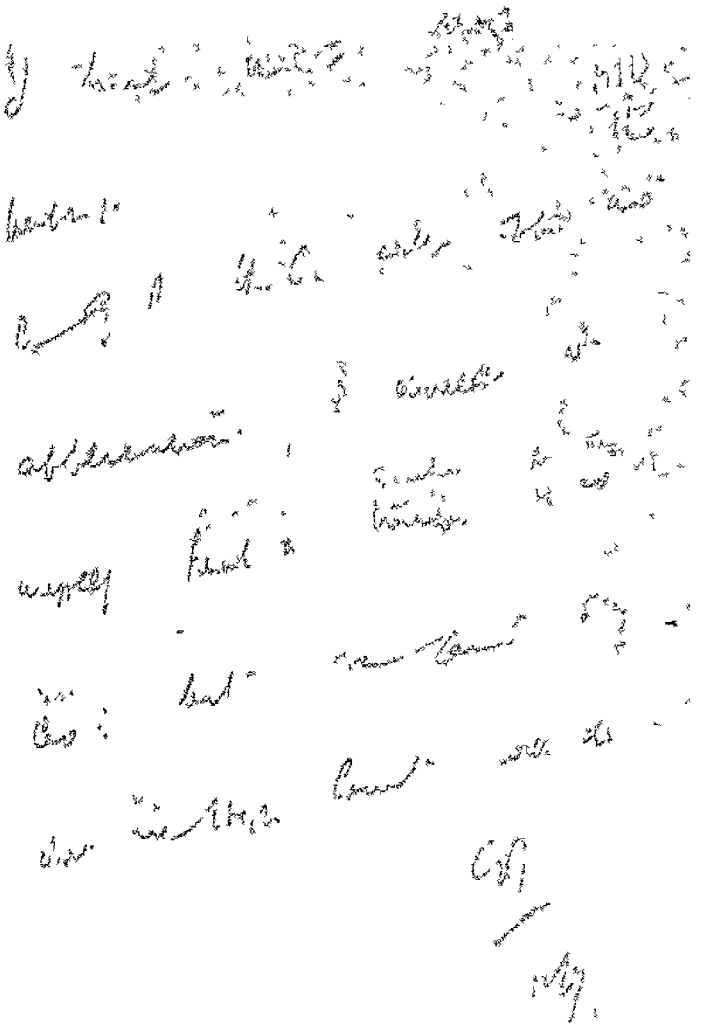
Leader.

[illegible]

[illegible] all any [illegible] the prosecution and defence have completed [illegible] and then if any [illegible] required to be filed, may call any persons with a view [illegible] In this case [illegible] and hence I [illegible] order I have passed regarding the deposit of [illegible] the accused and their party. So I [illegible] the application.

26/7/1948. Sd. [illegible]

Assistant Asst Commr,
Karwar, Dem.



in the interest of justice to summon those two Indians as Court witnesses for having made deposition recorded in this case, under the statutory powers vested in this Court under section 540 of the Criminal Procedure Code. It is submitted that the present case would be one of the fittest for the exercise of the powers, in the circumstances already submitted above.

25th July 1932. Sd. K.R.Holdiner,

Pleader.

O R D E R.

As a matter of principle I am not prepared to call any persons as Court witnesses, while the prosecution and defence have completed their case and then if any gap is required to be filled in, may call any persons whom I think fit, to fill in the gap. In this case the defence has not begun their case nor can I review my order I once passed regarding the deposit of travelling allowances of the witnesses and their party. So I refuse the application.

26/7/1932. Sd. R.S.Judhatte,

Magistrate First Class,
Karwar, Town.

interest or justice to summon those two ladies as court witnesses for having their depositions recorded in this case, under the statutory powers vested in the Court under section 540 of the Criminal Procedure Code. It is submitted that the present case would be one of the first for the exercise of those powers, in the circumstances already submitted above.

26th July 1952. Sd. K.R.Nalliah,
Proctor.

[illegible].

[illegible] any witness as a court witness [illegible] and when if any [illegible] may call any persons whom [illegible] In this case [illegible] can I review the order I once passed regarding the deposit of travelling allowances of the witnesses and their party. So I refuse the application.

26/7/1952. Sd. [illegible],
Magistrate Tissa Tissa,
Farwar, Town.

P.T.O.

Submitted.

2 The Dist. Magistrate has sent the letter(at pages 1 to 9 ante) to the Govt Pleader,High Court, and has instructed the G.P. to appear and oppose the transfer application in question.He is authorised to instruct the G.P. to appear in such cases under Rule 53(d) of the Law Officers Rules. Hence, no further instructions to the G.P. are necessary from L.D.

3 The copy of the letter of the Dist Magistrate to the G.P. with its accompaniments may be returned to M.D. with an endorsement as at para 2 (sup

Subject

2 The Dist. Magistrate has sent the letter(at paras 1 to 3 supra) to the Govt Pleader,High Court, and has instructed the G.P. to appear and oppose the transfer application in question.He is authorised to instruct the G.P. to appear in such cases under Rule 83(d) of the Law Officers Rules. Hence, no further instructions to the G.P. are necessary from L.D.

3 The copy of the letter of the Dist Magistrate to the G.P. with its accompaniments may be returned to M.D. with an endorsement as at para 2 (supra).

Clerk 15/9

P.L.A.

R. I. L. 8-1-61
16-1-1961

Recd
Serial

R.J. & D.O. 8245
16-9-1932
127
No. 10
Guntur, 15th September 1932.
H.D.
117

From

R. S. Vizer..ch, Esquire, I.C.S.,
District Magistrate, Kurnool.

To

The Secretary to Government,
Home Department (Political),
Ootacamund,
Council Hall, Ooota.

Sir,

In reply to the Government's gross letter No. H.D. 3842 dated 10th instant, I have the honour to submit as follows:-

2. The case against Kandula Rajanna Sharma, the Editor of the Kesari News, was filed in the Court of the A.S.Mundsur. It was transferred from the Court of Mr. A.S. Mundsur to the Court of Mr. K. S. Rattle, the Special Magistrate, in the month of June last, as Mr. Mundsur as Permit Officer C. D. was required to tour in Siddhout and Sirsi Talukas for the collection of land revenue. The case was taken up for hearing at the Guntur Sessions Court on the 10th of September and Criminal Case No. 10 of 1932 was to expire on the 11th, but Criminal Case No. 8 had not been completed and to avoid the limitation as to the extent of its provisions, the trial of the case was postponed under the Criminal Procedure Code.

On 14th July I received a letter from the Registrar, High Court, Madras, under section 526 (3) of the Criminal Procedure Code stating that it was going to move the High Court for transfer of the case and requesting me not to proceed with the trial of the case pending the disposal of the petition. The trial Court adjourned the case under section 526(3) Criminal Procedure Code.

The application made in the High Court was dismissed and the trial Court was informed accordingly before the hearing was taken up. The case was heard by the

R.J. & O.D. 6245
16-9-1902

No. 0

Dharwar, 16th September 1902.

hID
114

From

R. S. Hirsmath, Esquire, I.C.S.,
District Magistrate, Kanara.

To

The Secretary to Government,
Home Department (Political),
Council Hall, Poona.

Sir,

In reply to the Government Express letter No. S.
5848 dated 10th instant, I have the honour to state as
follows:-

1. The case against Panduranga Krishna Sanjivaya, the
Editor of the Kanara News, was filed in the Court of the
A.S.Murdaur. It was transferred from the Court of Mr. A.S.
Murdaur to the Court of Mr. R. S. Hirsmath, the undersigned
writer, in the month of June last, as Mr. Panduranga was
Front Officer, S. D. was required to stay in Bidnagur owing
to the Famine for the collection of land revenue. The case
was posted for hearing at the close of June and July
Calendar No. II of 1902 was registered and duly, but
Calendar No. XI did not appear regularly and there was
consequently no progress to the extent of its proceedings, and I
was compelled to issue warrant under the Criminal Procedure Code.
On 16th July the accused put in an application
under section 256 (a) of the Criminal Procedure Code praying
that the case might be dismissed with the observation that it was
unnecessary to proceed to a further
trial as the accused was residing two months' time for
his appearance. The trial Court accordingly discharged the case under
section 256(a) Criminal Procedure Code.

2. The application made in the Court of the
Magistrate from the proceedings in the trial Court is
presented to me with the remarks and enquiries in the
case.

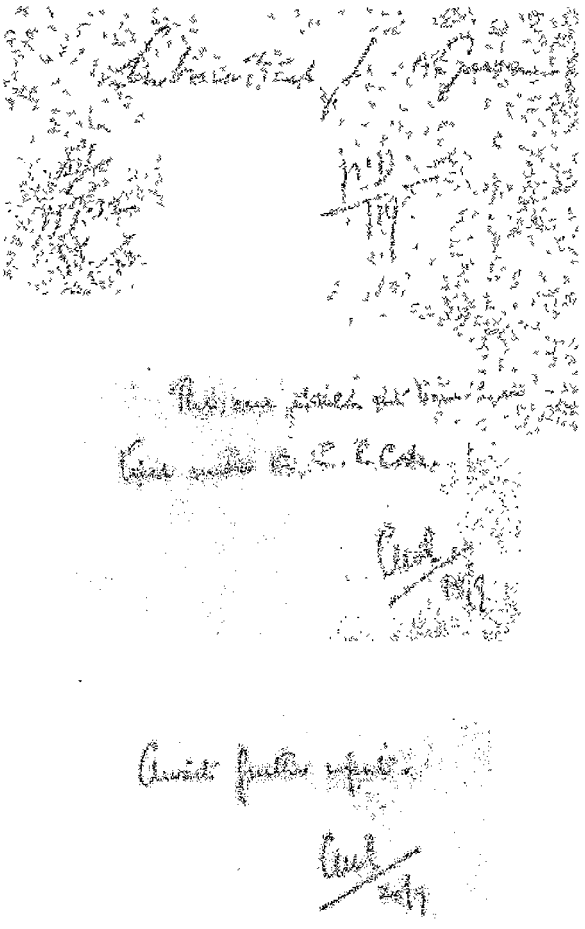
3. I may here state that

[illegible] the Market Masters [illegible]
[illegible] [illegible] [illegible]
[illegible] section 17 of the said
Ordinance have been fixed [illegible]
Kolaba Chaudis, the Mukhi of the Kumbi Vada. The
result of these three cases will be reported immediately
after they are disposed of.

Your obedient servant,

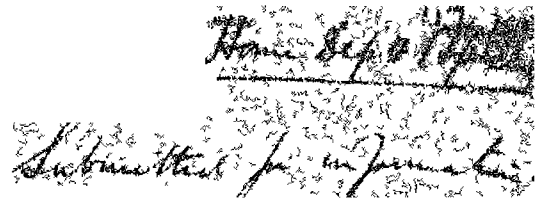
[illegible]

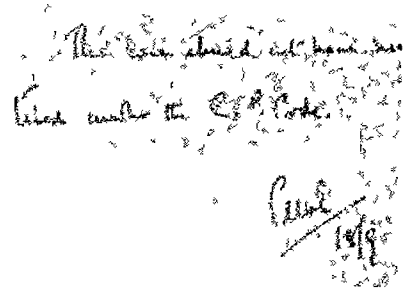
District Magistrate, Kolaba.

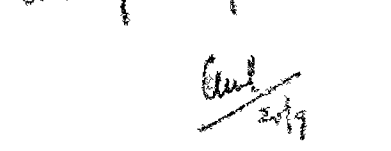


offences of [illegible] the District Magistrate's orders

[illegible]







Submitted for inspection

MID
119

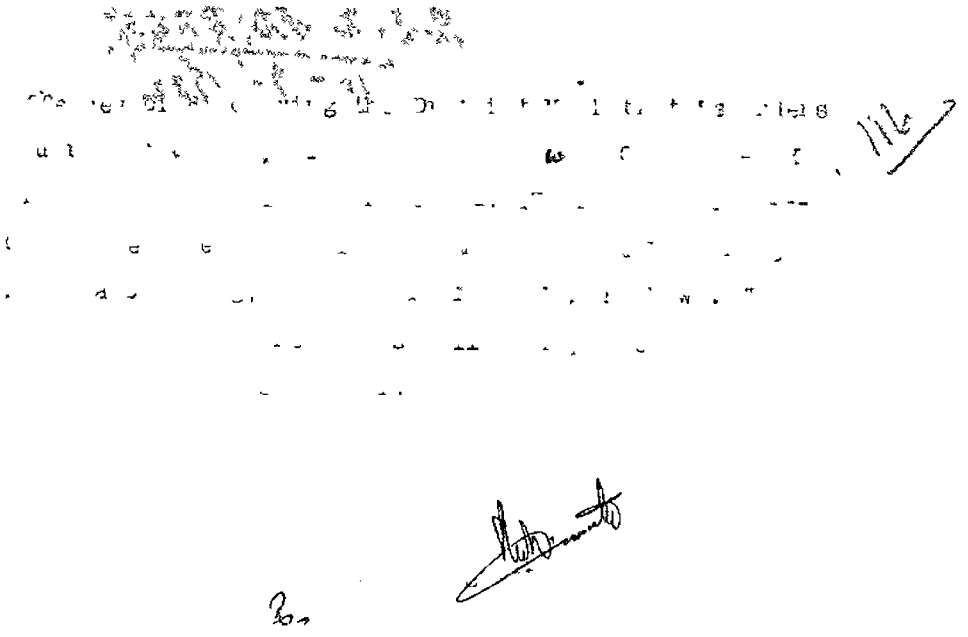
17.9.12
17.9.39

Then come about at home time
Kind under the C. P. Code.

Clerk 1919

Await further report.

Clerk 2019



Home Dept O[illegible]

Submitted for your information

BK
17.9.32

MD
17.9.32.

MD
119

There seems should not have been
fixed matter in C. P. Code.

Cmd
19/9

Amended further report.

Cmd
20/9

The Kanara News publishes the following news about the Congress :-The Congress work is being carried on at Lakola, District Kanara by Mrs. [illegible] Bhagirathibai Vaneeh Kenat who is the 5th Dictator

---

Forwarded with compliments to the District Magistrate, Kanara, Karwar.

Kanara News
8th February 1932.

Sd/ A. K. Ld. Hazarnis
Oriental Translator to Government

11-2-32

Copy submitted to the Secretary to Government Home Department (Political), for information.

11-2-32 Oriental Translator to Government

A. K.

The Kanara News publishes the following news about the Congress :- The Congress work is being carried on at Ankola, District Kanara, by Mrs. Bhagirathibai Ganesh Kamat who is the 5th Dictator

---

Kanara News

8th February 1932

Forwarded with compliments to the District Magistrate, Kanara, Karwar

Sd/ A. K. Ind. Asstt.

Oriental Translator to Governmen

11-2-32

Copy submitted to the Secretary to Government Home Department (Political), for information.

11-2-32 Oriental Translator to Governmen

A. K.

The Kanara News publishes the following news about the Congress :- The Congress work is being carried on at Ankola, District Kanara, by Mrs. Bhagirathibai Ganesh Kamat who is the 5th Dictator.

Forwarded with compliments to the District Magistrate, Kanara.

Sd/ A. K. Ba Hussain.

Oriental Translator to Government

Kanara News

8th February 1932

11-2

Copy submitted to the Secretary to Government Home Department (Political), for information.

Oriental Translator to Government

A. K.

INDIAN NEWS AGENCY TELEGRAMS.

S.M.Prater Anglo Indian supported the Bill as he thought that civil disobedience had done incalculable harm to the country and therefore such a movement had to be suppressed in the interests of the country. Rao Bahadur Angadi (Belgaum) was the last speaker of the day who supported the bill on the ground that the ordinary law of the land were not adequate to meet the extra-ordinary situation which had arisen in the country on account of the civil disobedience movment.

Mr. Justice Murphy and Justice Broomfield on the Appellate side of the Bombay Highcourt today quashed the conviction of Pandurang Krishna, Editor and Printer of a Kharra weekly Journal and set aside the fine of Rs. 200 passed on him by the First Class Magistrate. The charge against the accused was that he published a certain news item in his paper in connection with the anniversary of Pandit Motilal Nehru. In the opinion of their Lordships the mere publication of such an isolated piece of news did not amount to assisting the operations of an unlawful association.

November 24.... 8. 25. PM.

Ann.

Shd be sent to Press Section ?

Put up papers if any

11 am
26/11

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November 24.... S. 25. PM.

ASB.

Shd be sent this practice?

D.G.

Put up Mr. if any.

Nov 25/11

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November 24.... 8. 25, PM.

ASB.

Shd be sent this prosecution?

Put up pp. if any

Ans

The Times of India,
25th November 1958.

Editor of "Kanara News" Acquitted

HIGH COURT SETS ASIDE SENTENCE

An important judgment bearing on the Criminal Law Amendment Act was delivered by Their Lordships the Hon. Justice Murphy and the Hon. Justice Pramanik of the appellate side of the Bombay High Court on Thursday when they disposed of an appeal preferred by P. A. Shanbag, editor and printer of "Kanara News", a weekly published in Kumta (Kanara District), against his conviction and sentence of Rs. 200 by the First Class Magistrate of Kumpta, on a charge of assisting the operations of an unlawful association. Their Lordships held that the paragraph published by Shanbag on which the charge was based, was merely an item of news and set aside the conviction and the sentence.

Shanbag published in his weekly of February 8 last, a paragraph headed "Ankola News", which stated: "Now the work of the National Congress is going on in Ankola through the 5th dictator, Mrs. Pagnatti, but is the present dictator. A procession started on Saturday in honour of the anniversary of Pandit Motilal and a huge meeting was held at Gandhi Maidan, etc."

ASSISTING UNLAWFUL BODY

Shanbag was charged before the First Class Magistrate of Kumpta for assisting the operations of an unlawful association (Kannada Pradesh Congress) and sentenced to pay a fine of Rs. 200. Against this decision he appealed to the Sessions Judge of Kanara, who upheld it on the ground that Shanbag's conduct in publishing the paragraph was not quite innocent. In a way he wanted to show and his intention by the publication was to assist the [illegible] Congress committee.

Shanbag then appealed to the High Court. Mr. R. S. Jahagirdar argued [illegible] the appellant, while Mr. [illegible] Government Pleader [illegible]

[illegible]

In their opinion the conviction in this case could not stand for two reasons. The only association which was mentioned in the paragraph was the National Congress, which had not been declared an unlawful association. As such it might be suggested that the reference in the paragraph was merely in one of the Congress organisations, namely, the Kanara Pradesh Congress Committee, the Kanara District Congress Committee, or the Taluka Congress Committee, all of which had been declared unlawful by the Government. But their Lordships saw no reason to hold that the reference was to any one of these organisations. There was no question in the mind of the people at what association Mrs. Bhagwatibai Kamat was the dictator, and it was by no means clear that the reference was to any prescribed association.

Their Lordships could not go so far as to hold that the activities referred to were those of an unlawful association. There was no ground for them for considering that the association named in the charge, namely, the Karnatak Pradesh Congress Committee was therefore intended.

"NO OFFENCE COMMITTED"

Continuing Their Lordships said that by no reasonable construction could the appellant be stated to have assisted the operations of an unlawful association, even assuming that the reference was to an unlawful association. The proposition would be that by referring to the events the appellant was advertising the continued existence and the activities of a proscribed body. But in Their Lordships' opinion, the paragraph could not be regarded as anything more than an item of news.

It would be open to Government, if they think it reasonable so necessary, to make it a criminal offence to refer to the proceedings or the continuance of an unlawful association in any manner whatever," went on Their Lordships. But Government had not done so so far. It was a well recognised principle that criminal statutes must be strictly construed, and only by a far-fetched construction could they hold that the appellant had committed an offence. Their Lordships therefore [illegible] the conviction and sentence. The [illegible]

The Times of India,
25th November 1939.

Editor of "Kanara News" Acquitted

HIGH COURT SETS ASIDE SENTENCE

An important judgment bearing on the Criminal Law Amendment Act was delivered by Their Lordships, Mr. Justice Murphy and Mr. Justice Broomfield, on the appellate side of the Bombay High Court on Thursday when they disposed of an appeal preferred by P. K. Shanbag, editor and printer of "Kanara News", a weekly published in Kumta (Kanara District), against his conviction and sentence of Rs. 200 by the First Class Magistrate, of Kumpta, on a charge of assisting the operations of an unlawful association. Their Lordships held that the paragraph published by Shanbag, on which the charge was based, was merely an item of news and set aside the conviction and fine.

Shanbag published in his weekly of February 5 last, a paragraph headed "Ankola News", which stated: "Now the work of the National Congress is going on in Ankola through the fifth dictator, Mrs. Pagirathibai is the present dictator. A procession started on Saturday in honour of the anniversary of Pandit Motilal and a huge meeting was held at Gandhi Maidan, etc."

ASSISTING UNLAWFUL BODY

Shanbag was charged before the First Class Magistrate of Kumpta for assisting the operation of an unlawful association (Karnatak Prantik Congress) and sentenced to pay a fine of Rs. 200. Against this decision he appealed to the Session Judge of Kanara, who upheld it on the ground that Shanbag's conduct in publishing the paragraph was not quite innocent. In a way he wanted to assist, and his intention by the publication, must be to assist the illegal activities of the Congress Committee.

Shanbag then appealed to the High Court. Mr. R. A. Jahagirdar argued on behalf of the appellant, while Mr. P. B. Sahgne, Government Pleader, appeared for the Crown.

ONLY A NEWS PARAGRAPH

In the course of the judgment, Their Lordships observed that the publication under "Ankola News" was merely an isolated paragraph of news and there was no comment or criticism on the events mentioned. Shanbag was charged with assisting the operations of the Karnatak Prantik Congress.

In their opinion, the conviction in this case could not stand for two reasons. The only association which was mentioned in the paragraph was the National Congress, which had not been declared an unlawful association. As such it might be suggested that the reference in the paragraph was merely to one of the three associations, namely, the Karnatak Prantik Congress Committee, the Kanara District Congress Committee, or the Taluka Congress Committee, all of which had been declared unlawful by the Government. But Their Lordships saw no reason to hold that the reference was to any one of their organisations. Under the mention in the paragraph of "this association Mrs. Pagirathibai Kamat was the dictator, and it was by no means clear that the reference was to any proscribed association.

Their Lordships could not go so far as to hold that the activities referred to were those of an unlawful association. There was no ground for them for concluding that the association named in the charge, namely, the Karnatak Prantik Congress Committee was the one intended.

"NO OFFENCE COMMITTED"

Continuing Their Lordships said that by no reasonable construction could the appellant be stated to have assisted the operations of an unlawful association, even assuming that the reference was to an unlawful association. The suggestion would be that by referring to the events, the appellant was advertising the continued existence and the activities of a proscribed body. But in Their Lordships' opinion, the paragraph could not be regarded as anything more than an item of news.

"It would be open to Government, if they think it reasonable or necessary, to make it a criminal offence to refer to the proceedings or the activities of an unlawful association in any manner whatever," went on Their Lordships. But Government had not done it so far. It was a well recognised principle that criminal statutes must be strictly construed, and only by a far-fetched construction could they hold that the appellant had committed an offence. Their Lordships therefore set aside the conviction and sentence. The fine, if paid, was ordered to be refunded.

The Times of India,
25th November 1932.

HD
125

Editor of "Kanara News" Acquitted

HIGH COURT SETS ASIDE SENTENCE

An important judgment bearing on the Criminal Law Amendment Act was delivered by Their Lordships, Mr Justice Murphy and Mr Justice Broomfield, on the appellate side of the Bombay High Court on Thursday when they disposed of an appeal preferred by P K Shanbag, editor and printer of "Kanara News", a weekly published in Kumta (Kanara District), against his conviction and sentence of Rs 200 by the First Class Magistrate, of Kumpta, on a charge of assisting the operations of an unlawful association Their Lordships held that the paragraph published by Shanbag, on which the charge was based was merely an item of news and set aside the conviction and fine.

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Their Lordships would not go so far as to hold that the activities referred to were those of an unlawful association. There was no ground for them for concluding that the association named in the charge, namely, the Karnatak Prantik Congress Committee was the one intended.

"NO OFFENCE COMMITTED"

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"It would be open to Government, if they think it reasonable or necessary, to make it a criminal offence to refer to the proceedings or the activities of an unlawful association in any manner whatever," went on Their Lordships. But Government had not done it so far. It was a well recognised principle that criminal statutes must be strictly construed, and only by a far-fetched construction could they hold that the appellant had committed an offence. Their Lordships therefore set aside the conviction and sentence. The fine, if paid, was ordered to be refunded

Home Department (Special).

A cutting from the Times of India, dated 25-11-33, giving a fuller account of the proceedings in the High Court in the appeal of the Editor, Kanara News, is put up.

2. The paragraph in the Kanara News of 8-8-33 on which the prosecution was based (vide portion marked A in Times of India report) was brought to the notice, both of Government and the D.M. Kanara, by C.I. No action was taken by Government and the prosecution under the Criminal Law Amendment Act appears to have been undertaken by the District Authorities on their own initiative (no sanction from Government being required).

3. It may, however, be mentioned that another prosecution under section 17(1) Criminal Law Amendment Act is pending against the Editor of the Kanara News for giving publicity to Congress propaganda, and more particularly for publishing false allegations made by Congress workers against the Siddapur police regarding the treatment of certain women picketers. Owing to the fact that the case was being tried under the Criminal Procedure Code, the accused has resorted to dilatory tactics, and we have not been informed whether the case has yet been decided. On the 13th September the D.M., Kanara, reported that an application made by the accused to the High Court for transfer of the case from the 1st Class Magistrate of Karwar had been rejected and that the Court had been directed to

Home Department (Special):

A cutting from the Times of India, dated 25-11-32, giving a further account of the proceedings in the High Court in the appeal of the Editor, Kanara News, is put up.

2. The paragraph in the Kanara News of 8-2-32 on which the prosecution was based (vide portion marked A in Times of India report) was brought to the notice, both of Government and the D.M. Kanara, by C.I. No action was taken by Government and the prosecution under the Criminal Law Amendment Act appears to have been undertaken by the District Authorities on their own initiative (no sanction from Government being required).

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HIP/127

Home Department (Special)!

A cutting from the Times of India dated 25-11-32, giving a fuller account of the proceedings in the High Court in the appeal of the Editor, Kanara News, is put up.

2. The paragraph in the Kanara News of 8-2-32 on which the prosecution was based (vide portion marked A in Times of India report) was brought to the notice, both of Government and the D.M. Kanara, by O.T. No action was taken by Government and the prosecution under the Criminal Law Amendment Act appears to have been undertaken by the District Authorities on their own initiative (no sanction from Government being required).

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resume the hearing of the case.

Two more cases are reported to have been instituted against the ~~xxx~~ Editor for breach of orders under section 4(1) of Ordinance X issued against him by the D.M., Kanara.

6/11/32

6.11.32.

Secy

It has always been assumed that Sec 17 of the Criminal Law Amendment Act could be successfully applied to the publication of Congress news such as in the present case. The circular order given to D Mrs indicated this as one of the ways of dealing with refractory newspapers, and no reference to Govt is required in such cases. The H C judgment is one more illustration of the ineffectiveness of the ordinary law and deprives us of one of our weapons. But it is evident that the D.M. has a second string and has not yet finished with the paper. He may be asked how the other cases are getting on and how this judgment affects the position in his district.

A.

27/11

nID
129

I really cannot write letters
today but I enjoy journeys
& letters before newspapers are
produced by faithful &
over-zealous F. Rs.

In this case the 2nd sitting
should pass away like the
1st sitting, if correctly described,
was a penalty for me.

I went to the Pays for two
years & existed - the A. may be
others

Perhaps on his behalf see the
principal one.

JM
29/11

resume the hearing of the case.

Two more cases are reported to have been instituted against the ~~the~~ Editor for breach of orders under section 4(1) of Ordinance X issued against him by the D.M., Kanara.

26/11/32

Secy
H.M.

It has always been assumed that Sec. 7 of the Criminal Law Amendment Act could be successfully applied to the publication of Congress news such as in the present case. The circular order issued to D.Ms indicated this as one of the ways of dealing with refractory newspapers and no reference to Govt is required in such cases. The H.C judgment is one more illustration of the ineffectiveness of the ordinary law and deprives us of one of our weapons. But it is evident that the D.M. has a second string and has not yet finished with the paper. He may be asked how the other cases are getting on and how this judgment affects the position in his district.

A.

27/11

HID
129

I really cannot write a letter
on the subject required previous
to sending before receipts are
forwarded by Auditor &
Over-Seers &c. &c.

In this case the 2nd sitting
should pass only as the
1st sitting, if correctly described
was a faulty proceeding.

I would like this paper to
come to exist - i.e. A. may be
wrong

Perhaps we is better see the
original docs.

Ever
Yrs

resume the hearing of the case.

Two more cases are reported to have been instituted against the ~~the~~ Editor for breach of orders under section 4(1) of Ordinance X issued against him by the D.M., Kanara.

6/11/32

6-11-32.

Secy.

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A.

27/11

120/S/127-128 File X

H1D
129

I really wonder whether we
ought not to reject pieces
such as this unless
accompanied by a satisfactory
Over-Seas S. Rs.

In this case the 2nd sitting
should pass any L-U-A the
1st sitting, if correctly described,
was a faulty pass one.

I want to know this point before
I can start writing L-U-A. reports
either

Perhaps on the better see this
point also.

JH
29/11.

29/11

Confidential.

HID 131 129

EXPRESS LETTER.

No.H.D.-7364, dated the 2nd December 1932.

To

The District Magistrate,
Kanara.
Repeated to

Commissioner, Southern Division.

Reference correspondence ending with your letter No.30, dated the 13th September 1932, regarding the prosecution of P.K.Shanbhag, Editor of the "Kanara News", under section 17(1) of the Criminal Law Amendment Act and for breach of orders served on him under section 4(1) of Ordinance X. Government understand that the "Kanara News" has ceased publication, but would be glad to know how the cases against the editor stand.

2. The "Times of India" of the 25th ultimo reports that the editor of the paper has been acquitted by the High Court on appeal against his conviction by the 1st Class Magistrate, Kumta, on another charge under section 17(1) of the Criminal Law Amendment Act. Please report how this judgment affects the position in your District.

Addressed District Magistrate, Kanara, repeated Commissioner, Southern Division.

Bombay Special.

For Secretary to the Government of Bombay,
Home Department.

JP.

Confidential.

HID 131 129 142

EXPRESS LETTER.

No.S.D.-7364 dated the 21st December 1932.

To

The District Magistrate,
Kanara.
Repeated to

Commissioner, Southern Division.

Reference correspondence ending with your letter No.30, dated the 13th September 1932, regarding the prosecution of P.K.Shanbhag, Egitor of the "Kanara News", under section 17(1) of the Criminal Law Amendment Act and for breach of orders served on him under section 4(1) of Ordinance X. Government understand that the "Kanara News" has ceased publication, but would be glad to kn. how the cases against the editor stand.

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Addressed District Magistrate, Kanara, repeated Commissioner, Southern Division.

Bombay Special.

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for Secretary to the Government of Bombay,
Home Department.

No. S.D.-7365.

Home Department (Political),

Bombay Castle, 2nd Dec. 1932.

To

The Government Pleader,

High Court,

Bombay.

Sir,

I am directed to request that you will be so good as to furnish Govt., as soon as possible, with 5 copies of the judgments recorded by the Hon'ble Mr. Justice Murphy and the Hon'ble Mr. Justice Broomfield on the 24th ultimo in the appeal preferred by F.K. Shanbhag, Editor of the "Kanara News", against his conviction under section 17(1) of the Cr. L.A.A. by the First Class Magistrate of Kumta, Kanara Dist

I have etc.,

for Secy. to the Govt. of Bombay,

Home Department.

No. S.D.- 7365. 131

Home Department (Political),

Bombay Castle, 2nd Dec. 1932.

HD 133

To

The Government Pleader,

High Court,

Bombay.

Sir,

I am directed to request that you will be so good as to furnish Govt., as soon as possible, with a copy of the judgments recorded by the Hon'ble Mr. Justice Murphy and the Hon'ble Mr. Justice Broomfield on the 24th ~~May~~ instant on the appeal preferred by P.K. Shanbhag, Editor of the "Kanara News", against his conviction under section 17(1) of the Cr. L.A.A. by the First Class Magistrate of Kumta, Kanara Dist.

I have etc.,

For Secy. to the Govt. of Bombay,

Home Department.

No. S.D.- 7366. 131

Home Department (Political),

Bombay Castle, 2nd Dec. 1932.

nlD 133

To

The Government Pleader,

High Court,

Bombay.

Sir,

I am directed to request that you will be so good as to furnish Govt., as soon as possible, with a copy of the judgments recorded by the Hon'ble Mr. Justice Murphy and the Hon'ble Mr. Justice Broomfield on the 24th ~~instant~~ on the appeal preferred by P.K. Shanbhag, Editor of the "Kanara News", against his conviction under section 17(1) of the Cr. L.A.A. by the First Class Magistrate, of Kumta, Kanara Dist.

I have etc.,

For Secy. to the Govt. of Bombay,

Home Department.

I suggest that the attention of the Hon'ble Minister be drawn to the recent judgment of the High Court in the case of the Kanara papers. Such further proceedings to be as in the case.

Dte.
4/12

the Kanara News

I perceive I am submitting this case for orders. The note should be placed on the file

Minister
5/12

Home Department (Special)

Copies of the High Court judgment in the case referred to by H.M. have been called for from the Govt. Pleader, High Court, and are being awaited. The action suggested in H.M.'s minute may be deferred till the copies are received.

S/12

MID 133 135

I suggest that the attention of the D.Rs be drawn to the recent judgment of the High Court in the case of the Kanara Times.

Kanara Times

Such further proceedings do as appear necessary.

H.A.
4/12

I presume we can submit this case for orders when the Standards Report is ready.

[illegible]
-/12-

Home Department (Special)

Copies of the High Court judgment in the case referred to by M. have been called for from the Govt. Pleader, High Court, and are being awaited. The action suggested in M.'s minute may be deferred till the copies are received.

[illegible]
4/12

[illegible]

G.P.—S 517—1200—1 III—Ta
G. O. D. No 1198 of 7-4-16.

From

The Government Pleader, High Court, Bombay,

To

The Secretary to Government, Law Department,
The Collector of
The District Magistrate of

Bombay 6th December 1932

Sir

With reference to the correspondence ending with your letter No. 3-2-7368 dated 22nd December 1932
I have the honour to forward herewith papers in the case as noted in the margin and to request thy favour

Certified copy of Bombay High Court Judgment and Decree

Expenses incurred payable and allowed

I have the honour to be
Sir,
Your most obedient servant,

Government Pleader, High Court

A. J. & S.O. 7289
7-12-1932

G.O.P.—J 317—1205—1-33—EA
G. O. L. D., No. 1193 of 7-12-15.

[Govt. Pl., H. C., Bom.—Spl. Form 5.

No. 3579 OF 1932

From

THE GOVERNMENT PLEADER, HIGH COURT, BOMBAY;

To

The Secretary to Government, Legal Department
The Collector of
The District Magistrate of

Bombay, 5th December 1932

Sir,

With reference to your letter No. S.O. 7365 dated 2-12-1932

I have the honour to forward herewith papers in the case as noted in the margin, and to request the favour

Criminal Application No. 323 of 1932

Two Certified copies of High Court Judgment and Decree

~~of your acknowledging the receipt thereof~~

I have the honour to be,
Sir,
Your most obedient servant,

Government Pleader, High Court

K. J. No S.D. 9989 935
6-12-1932

G.G.P.—J 517—120
G. O., L. D., No. 1199 of 7-12-16.

[Govt. Pl., H. C., Bom.—Sp'. Form 8

No. 3579 OF 1932

H1D
134

From

THE GOVERNMENT PLEADER, HIGH COURT, BOMBAY;

To

~~The Secretary to Government, Legal Department~~ Home
~~The Collector of~~
~~The District Magistrate of~~

Bombay, 5th December 1932

Sir,

With reference to ~~this office~~ your letter No. S.D. 7345 dated 2-12-1932

I have the honour to ~~forward~~ herewith papers in the case as noted in the margin, and to request the favour

Criminal ~~Appeal~~ Application No. 323 of 1932

Two [illegible] Certified copies of High Court Judgment ~~and Decree~~

~~of your acknowledging the receipt thereof~~

I have the honour to be,
Sir,
Your most obedient servant,

Government Pleader, High Court.

Revision Application No. 238 of 1938 in the Court of
Inspector Mr. Parker at Ayothia Bhandara.

Accused.

Counsel: Barrow & Co. ...

Judgment dated ...

The applicant ... which is published ... district. In ... section 17 (1) ... of 1908 ... of a ... 8th of ... under the ... town in ...

Judgment passed by the High Court in Criminal Revision Application No. 223 of 1932 in the case of Emperor Vs. Pandurang [illegible] [illegible].

Mr. T. A. Jahagirdar for the applicant.
The Government Pleader for the Crown.

28th September 1932.

Coram: Murphy & Broomfield JJ.

Judgment per Broomfield J.

The applicant in this case is the editor and publisher of a weekly newspaper called "[illegible]" which is published at Kumta, a town in the Kanara district. He has been convicted of an offence under section 17 (1) of the Criminal Law Amendment Act XIV of 1908 and sentenced to a fine of Rs. [illegible], in respect of [illegible] published in his newspaper on the 8th of November 1931. It was an isolated paragraph under the heading "[illegible] News", [illegible] Kanara district, [illegible] as follows: [illegible]

[illegible]

Judgment reserved by the High Court in Criminal Revision Application No. 823 of 1938 in the case of Emperor Vs. Parmanand Kalidas Bhanbhag.

Mr. R.A. Jahagirdar for the applicant
The Government Pleader for the Crown.

28th November 1938.

Coram: Murphy & Brumfield JJ.

Judgment of Brumfield J. -

The applicant in this case is the editor and publisher of a weekly newspaper called "Kaiwari Mitra" which is published at Kumta, a town in N. Kanara District. He has been convicted of offences under section 17 (1) of the Criminal Law Amendment Act XIV of 1908 and sentenced to a fine of Rs. 200, in default of a paragraph which appeared in his newspaper on the 31st December 1938. It was an leaded paragraph under the heading "Ankola News", which being another item in the Kanara District, ran as follows :-

"On the eve of the National Congress in Jot. [illegible] to the State Picketers, Mrs. Bhagirathibai Kanvi Pandit of the Congress Mandals [illegible] a huge meeting was held on the [illegible]. Mrs. Bhagirathi Pandit ex- [illegible] of Ankola. There [illegible] a house of about 300 persons [illegible] after the meeting was over, [illegible]

Mr. Justice Xxx Brandt dissented, and that in the case
discussed the reasons "justified the decisions of the
majoned. The clause was that by-politics shit-
Thus was no comment or criticism on the Holden
Hamphite were Christians. "

the meeting. After the meeting Rev. Owen,
van an attendant of about 200 persons at
tended on the kingdom of Mostly. There
Gough Kirton, Inc. Burlingt Hamnik xxx
Mostly, and a huge crating was held on the
in honour of the anniversary day of Fought
Miatzos. A procession started on Saturday
Bhgkeamhiber Dwmgh Kouse in the Parent
on La Rukoia through the Tirun Dictator. Mr
" Jon the work of the Patiosi Dosiness in Boris
town in the Kamma district, and Mau de Potions
under the heading "Amoin Mean", Rukoia being appoint-
ed of November 1932. It was an isolated Determin
of a Dorogobuzh which opposed the membership on the
of 1409 and extended to a line of Ro-Mco, Inverbnot
section 12 (1) of the Criminal Law Amendment Act XIX
district, He had been convicted of offered under
which in Dop-topod at Kumi, a town in the Kanara
ary Brigadier of a Mosfly Homebuyer carried Katnae-hora
Ma-Bulloud in his case to the editor.

Imprimatur der Zensurbehörde ?

Cassel, Montag 9 Dezember 12.

Sept.-October 1932.

The Government Placard for the Crown
No. 3.4. Targetcar for the Epitcaut

Imperator Ac. Zunimang Kolinos Brandse .

Revision Application No. 332 of 1932 in the case of

Judgments recorded by the High Court in Criminal

NLB

of which the applicant has been found guilty by the trial Court . The Sessions Judge of Kanara confirmed the conviction and sentence in appeal .

We are of opinion that the conviction in this case cannot stand , for two reasons . The only association which is named in the paragraph is the National Congress , and the National Congress as such has not been declared to be an unlawful association . It might be suggested that the reference really was to local organisations such as the Karnatak Pradesh Congress Committee , the Head-quarters of which are at Dharwar , or the Kanara District Congress Committee , or the Ankola Taluka Congress Committee , all of which associations have been declared to be unlawful . But there seems to be no reason for holding that any one of these associations was intended rather than another and none of them is specified in the charge . There is nothing in the judgment of either Court to show who [illegible] Kamat is or of what association, if any , she is the dictator . So that it is by no means clear that there is a reference here to any proscribed association . The only one named is the National Congress and even if one could go so far as to infer that the activities referred to were those of an unlawful association there is no ground for concluding that the association aimed at in the charge viz. the Karnatak Pradesh Congress (Committee) with its Headquarters at Dharwar [illegible] . I have set out the [illegible] it appears that there is no [illegible] activities of any association, [illegible] connection in [illegible]

Those who do consent or solicitude on the Trustees
Hospitals have Directorate." * * *
the Meeting . Later the meeting was over
was in attendance of about 240 persons at
organized on the auditorium of Hospital. There
Carl Nielsen . The Binnenhof Museum xxx
Hospital " and a huge bonfire was lit on the
in honour of the centenary Jan of Zuyd
Director . A procession started on Saturday
Binnenhofplein Church Kunst in the Procession
on Ja Amsta through the First Director. The
" Now the most of the Nielsen Donnerdag in solne
down in the Kunsta Uferstr " and Zaandam Lotions
under the heading "Amsein News" Muzeja Street Hoffner
on 1 Januarie 1938 . It was in Leerling Bezoekers
of a Jurisdiction which extended in Binnenhofpoc on the
of 1929 and pertained to a Time of Dr. Bon , in Zaal of
section IX (1) of the Binnenhof Paa Wetgeving Zer XIX
Gymnast Afk Hus eigen consisted on Gebäude Museum
which in Dortsched at Kamp , a room in the Bonaan
the Dutch and a Amerik de Number century " Kaaten Hom
. The obtained in this case Fabine entot

Inclosure No. 2 = Documents.

Memo: Monday 2 December 12.

Sept. October 1938.

The Government Museum for the Dutch
No. 2. Invitation for the Opening

Inclosure No. Documents Relating Exhibits

Notion Administration No. 852 of 1938 in the Office of
Documents recorded by the High Court, in Pretoria

of which the appellant has been found guilty by the trial Court . The Sessions Judge of Kanara confirmed the conviction and sentence in appeal .

My view of citation that the conviction in this case cannot stand . It is too plausible . The only association which is named in the paragraph is the National Congress , and the National Congress itself does not , been declared to be an unlawful association as such , It might be suggested that the reference really was to local organisations such as the Kannada Prantik Congress Committee , the head-quarters of which are at Dharwar, or the Kanara District Congress Committee or the various Taluka Congress Committees , one or which associations have been declared to be unlawful , but there seems to be no reason for holding that any one of these associations was intended rather than another and none of them is specified in the charge . There is nothing in the judgment of either court to show that Bhagirathibai Ganesh Kamt an or of what association, if any , she is the Dictator , so that it is by no means clear that there is a reference here to any proscribed association . The only one named is the National Congress and even if one could go so far as to infer that the activities referred to were those of an unlawful association there is no ground for concluding that the association named in the charge viz, the Karnatak Prantik Congress (Committee) with its headquarters at Dharwar was the one intended . Moreover I have not had the [illegible] in full and it appears that there is no reference to any unlawful activities of any association, the [illegible] relations being a procession in honour of [illegible] Pandit Nehru and a meeting on a [illegible] certain [illegible] on the various [illegible] .

[illegible] to be the second point which [illegible]

Time for Public Comment", and that is the only opportunity [illegible] ... The request "received the overwhelming [illegible] ... I [illegible] and also it [illegible] Public ... [illegible] to comment or criticism on the [illegible] Board's [illegible] stated. "

... [illegible] the meeting was open ... [illegible] ... [illegible] ... [illegible]

of which the appellant has been found guilty by the trial Court . The Sessions Judge of Karwar confirmed the conviction and sentence in appeal

The crux of the matter in this petition is whether the case against the two petitioners, namely, Bhaskar Narayan Gaonkar and the petitioner in Criminal Revision Application No. 1 of 1969 is that they are members of the National Congress , and the National Congress has been declared an unlawful association , and that it might be dangerous for public peace if such organisations and its branches like the Taluka Congress Committee , the headquarters of which are at Karwar, or the Kanara District Congress Committee in the case of Taluka Congress Committee , all of which are alleged to have been declared to be unlawful , it does not seem to be necessary for holding that any one of whose associations was necessary whether any and none of them is mentioned in the charge . There is nothing in the judgment of either Court to show that Bhaskar Shantaram Gaonkar is or was with associations, if any , else is the Petitioner . So that it is very, to make clear that there is a reference here to any particular association . The only one named is the National Congress and even if one could go so far as to infer that the activities referred to were those of an unlawful association there is no ground for concluding that the association named in the charge viz, the Karnataka Pradesh Congress (Committee) with its headquarters at Dharwar was the intended . Moreover I have not got the [illegible] and it appears that there is no [illegible] whether of any association, [illegible]

but is a question of coalition of rankings between
[illegible]

Turn round so to the second heavy [illegible]
[illegible] .

[illegible] a question of [illegible] and a problem [illegible]
[illegible] . [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible]

be held that the passage in question [illegible] associated the operations of an unlawful association with [illegible] assuming that there was a reference to the [illegible] association named in the charge. The submission would be that by reciting the [illegible] the section was advertising the continued existence and activities of a proscribed body. In my opinion, however, the [illegible] every paragraph contained an express [illegible] anything more than an item of news [illegible] Government, if they thought it necessary, to make it a criminal offence to refer to the proceedings or the continuation of an unlawful association in any manner whatever. But it has not done so. It has not, therefore, been made an offence merely to mention what has happened, and there is a great difference between describing past events, as items of news in a newspaper, and publishing a programme of future activities. As I have mentioned, [illegible] there is no evidence of a course pursued on the part of the accused. It is a well-known fact [illegible] but [illegible] must be strictly [illegible] and I do find that it is only by a far-fetched and [illegible] that this section that the accused [illegible] by advertising an offence [illegible] be convicted.

[illegible]

of which the applicant has been found guilty by the said
court . The Election Judge of Kumara constituency the
conviction and sentence in question .

We are of opinion that the conviction in the
case cannot stand , for two reasons . The only witness-
ion which is named in the Proceedings is the petitioner
Joseph , and the National Congress of Kumara has not
been granted to be an unincorporated association at law .
It might be urged that the Secretary was to legal
organisation such as the Kumara Municipal Congress
Committee , the head-quarters of which are at Dharwar,
or the Kumara District Congress Committee or the Kumara
Taluka Congress Committee , all of which accept-
-ions have been declared to be unlawful . But there
seems to be no reason for holding that any one of those
connections was intended further than sympathy and
none of them is concerned in the charge . There is
nothing in the judgment of either Court to show who was
it , who is the Secretary . So that it is by no means
English that there is a reference here to any Municipal
charge that there is a reference here to any Municipal
or any even if one could go so far as to infer that the
contravention . The only one named is the National Congress
Committee which seems to mean those of an unlawful - -
solitaries referred to mean those of an unlawful - -
annexation there is no ground for convicting them and
sentencing them to the charge viz, the Executive Engineer
(Committee) with the Municipality at Dharwar
or it one intended . Moreover I have not the -
-ing in Unit and it appears that there is no -
of the evidence which connects the petitioner
with the Municipality at Dharwar .

Let Legis as to the second point urged ,
of Limit Reference .

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                                                    ,
```

[illegible] to hold that the danger in question [illegible] by [illegible] against the operations of [illegible] associations, such as [illegible] association named in the charge. The suggestion [illegible] be that by reading the [illegible] and [illegible] overlooking the continued existence and activity of a proscribed body. In my opinion, however, [illegible] anything more than [illegible] to bring to [illegible] Government, if they thought it necessary, to make it a criminal offence to [illegible] or the activities of an [illegible] in any manner whatever. But it has not [illegible] made an offence merely to [illegible] and there is a great difference between ascertaining [illegible] at [illegible] to a conspiracy, and plotting a [illegible] of future activities. As I have explained, [illegible] an [illegible] and [illegible] to be evidence of a [illegible] could form part of the accused's [illegible] accused [illegible] but [illegible] construed. I hold that it is only by a [illegible] and unreasonable [illegible] of this provision that the accused in this case can be [illegible] have committed an offence under [illegible] section [illegible]

[illegible]

[illegible]

that it is necessarily contemporaneous. Language cannot be
used to express a certain fact existing in the mind
of the auditor, unless both speaker and hearer have
the knowledge necessary to understand the meaning
conveyed in that and it appears that there is no
reference to any intelligent activities of any association
whatever, being one formed . Moreover I have put off the
Conference (Committee) with the Headquarters at Bhavnagar
association means in the charge via, the Karachi Tuesday
association there is no ground for concluding that the
activities referred to were those of the national Congress
and even if one could do so it is not to infer that it
association . The only one named is the National Congress
that there is a reference here to any association
it, and , who is the Delegates . So that it is by no means
Registration Council Kamal is or of what association
nothing in the judgment of either Court to find who mem-
bers of that is elected in the classes . There is
associations was intended rather than any other and
seems, to be no reason for holding that any one of those
-tions have been declared to be unlawful . But there
Indian Congress Committee , at which accept-
on the Indian District Congress Committee or the Karachi
Committee , the head-quarters of which are at Bhavnagar,
explanations such as the Karachi Municipal Congress
might be suggested that the reference really was to local
been declared to be unlawful association be made . It
Congress , and the National Congress appears has not
-tion which is used in the Proclamation is the National
case cannot stand , for two-reasons . The only associa-

We are of opinion that the conviction in this
conviction and sentence in appeal .

The Sessions Judge of Kaira confirmed the
Court . of which the appellants has been found guilty by the Extra

Dorothy Barnhouse

52 Mt. Zion Ln.

Ithaca, NY 14850

Dear Ms. Barnhouse,

Thank you for your letter of March 3rd regarding the proposed zoning change for the property at 1247 Hillcrest Avenue. I appreciate you taking the time to share your concerns with me.

I understand that the proposed change would allow for the construction of a small commercial building on the corner lot. While I recognize that this could bring some convenience to the neighborhood, I also share your concern about traffic and parking, especially given the existing congestion on Hillcrest during school hours.

I have scheduled a public hearing on this matter for April 12th at 7:30 PM in the Town Hall auditorium. I encourage you to attend and present your views to the full board. Written comments will also be accepted and entered into the record.

Please feel free to contact my office if you have any questions before the hearing.

Sincerely,

Thomas R. Whitfield

Chairman, Planning Board

[illegible]

[illegible]

[illegible]

[illegible] of [illegible]

and publisher of [illegible] which is published at [illegible] district. He has been [illegible] of the [illegible] of 1908 and sentenced to [illegible] of a paragraph which appeared in [illegible] 8th of November 1908. It was [illegible] under the heading "[illegible]" [illegible] in the [illegible] district [illegible]

"How the work of the National [illegible] in the [illegible] district [illegible] district [illegible] in honour of the anniversary day of [illegible] and a huge meeting was held [illegible] the victory of [illegible] of about [illegible] persons [illegible] the meeting [illegible]

[illegible]

[illegible]

Memorandum

In the Course

I agree.

Memorandum re

---

time it may be assumed,

and conference and assume the justified and stress that the

I mind, therefore, not assume the conviction

the section under which he has been convicted.

in this case can be held to have committed any offence and

unreasonable construction of this Section that his accom

convicted and I hope that it is only by a far-fetched and

recognised principle that Henry Magistrates should be entirely

of counsel on the part of the accused. It is a well-

isolated passage, and there are no articles of a contra

of Supreme Authority, as I have mentioned, able to un

an item of news in a newspaper, and publishing a paragraph

there is a great difference between describing that events

made an offence merely to mention what happened, and

whatever. But it has not done so. It has not so far been

or the activities of an unlawful association in any manner

to make it a criminal offence to refer the proceedings

Government, if they thought it necessary or necessary,

anything more than an item of news. It would be open to

Paragraph complaining of cannot rightly be regarded as

prejudiced body. In my opinion, however, the

advertising the continued existence and activities of a

be that by recording the Fenute mentioned the accused was

associated name in the charge. The description can only

something that there was a reference in the warrant

rejected the observations of my learned friend, Mr. Kave,

Dear Sir:

I am, however, not sure the application was drawn that the section under which he has been convicted.

In this case can be held to have committed an offence unnecessarily construction of this provision that the accused construed and I hold that it is only by a far-fetched and unrecognized principle that mens rea could be attributed to the accused or could not the fact of the matter. It is a well-[illegible] evidence of a course of [illegible] action. As I have mentioned, this is an item of news in a newspaper, not publishing a document where is a great difference between describing what event, made an offence merely to mention what has happened, and whatever. But it has not done so. It has not to [illegible] or the activities of an unlawful association in any manner to make it a criminal offence to refer to the proceedings [illegible] government, if they thought it reasonable or necessary, published more than an item of news. It might be open to [illegible] prosecution complained of cannot fairly be regarded as [illegible] proscribed body. In my opinion, however, the [illegible] ascertaining the continued existence and activities of a be that by recording the events mentioned the accused was accentuation meant in the charge. The suggestion can only [illegible] that there was a reference to the unlawful [illegible] erecting the observations of an unlawful association, even be met thus the paragraph in question [illegible]

Judgment recorded by the High Court in Criminal
Revision Application No. 453 of 1952 in the case of
Emperor Vs. Pandurang Raghoba Chandane.

Mr. R.A. Jahagirdar for the applicant
The Government Pleader for the Crown.

24th November 1952

Coram: Murphy & Bavdekar JJ.

Judgment: Murphy J.

Inspector No. 289 of 1852 re Mr. case of
Benjamin Abercrombie for Writ Order to Quintary

Dr. Jeremiah Blackman Dr. the Crown
Mr. D.P. Humphreys for the petitioner

Toronto, December 15th 1852

Coram: Murphy J. Jackson C.J.

Inspector Ben Abercrombie :-

The petitioner in this case is the petitioner
[illegible] Mr. Abercrombie [illegible] Mr. Jackson
[illegible] Mr. Abercrombie [illegible] Mr. Jackson
[illegible] Mr. Abercrombie [illegible] Mr. Jackson

of which the applicant has been found guilty by the trial Court. The Sessions Judge of Kanara confirmed the conviction and sentence in appeal.

In the view of opinion that the conviction in this case cannot stand, for two reasons. The only association which is named in the Paragraph is the National Congress, and the National Congress it appears has not been declared to be an unlawful association as such. It might be suggested that the reference really was to local organisations such as the Karnatak Pradesh Congress Committee, the head-quarters of which are at Dharwar, or the Kanara District Congress Committee or the Ankola Taluka Congress Committee, all three of which associations have been declared to be unlawful, but there seems to be no reason for holding that any one of these associations was intended rather than another and none of them is specified in the charge. There is nothing in the judgment of either court to show why the Bhagwantrihar Ganesh Kagal is or of what association, if any, she is the District. So that it is by no means clear that there is a reference here to any prescribed association. The only one named is the National Congress, and even if one could go so far as to infer that the notification referred to some form of an unlawful association there is no ground for concluding that the association named in the charge viz, the Karnatak Pradesh [illegible] with its headquarters at Dharwar [illegible]. Moreover I have set out the [illegible] and it appears that there is no [illegible] any unlawful activities of any association, [illegible] meeting on a [illegible]

A Transport Case Breakage Occasion.

Assistant Supt. Stephens to ...

"Yesterday, the circuit was rigged in Brentwood-Ilford ... Dance was to accompany an Italian on the violin, Mozart ... Mozart was ... Mozart's ... the concert ... The ... was ... on the ... Concert Manager ... Mrs. Bloomfield-Thornton ... Director ... and ... to ... Director ... Dance ... Director ... Director ... Director

of which the appellant has been found guilty by the High Court. The Sessions Judge of Kanara confirmed the conviction and sentence in appeal.

In our opinion the conviction in this case cannot stand. For the only notification which is relied on is the declaring the National Congress and the National [illegible] to be an unlawful association [illegible]. It might be suggested that the reference [illegible] was to organisations such as the [illegible] Committee, the [illegible] or the Kanara District Congress Committee or the [illegible] Taluka Congress Committee; all these organisations have been declared to be unlawful [illegible] there seems to be no reason for holding that any of these associations was intended rather than [illegible] none of them is specified [illegible]. There is nothing in the judgment of either court to show [illegible] Bhagirathibai [illegible] [illegible], [illegible] clear that there is a reference here to any [illegible] association. The only one named is the National Congress [illegible] and if one could go so far as to interpret the activities referred to [illegible] [illegible] the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] unlawful activities of the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

Transcription unavailable.

of which the [illegible]
court . The [illegible]
conviction [illegible]
[illegible]
[illegible] cannot stand , for [illegible]
-tion which is named [illegible]
Congress , and the [illegible]
[illegible] to [illegible]
might be suggested that [illegible]
organisations such as [illegible]
committee , the [illegible]
or the Kanara District Congress Committee [illegible]
Taluka Congress Committee [illegible]
-tions have been declared [illegible]
seems to be no reason [illegible]
associations was intended [illegible]
none of them is specified in [illegible]
nothing to the purpose of [illegible]
they exhibit enough [illegible]
if any , who is the Dictator . So that it [illegible]
clear that there is a reference [illegible]
association . The only one named is the National Congress,
and [illegible] go so far as to infer that the
[illegible] referred to were those of an unlawful [illegible]
[illegible] no ground for concluding that the
[illegible] charge [illegible]
[illegible] Dharwar
[illegible]
[illegible]
[illegible] association.

Dear Mr. Hopkins,

I have been so slow in answering your letter, but I have been very busy with my work. I am glad to hear that you are getting on well with your studies. I am sorry to say that I am not able to help you with your problem, as I am not familiar with the subject. However, I will try to find out what I can and let you know.

Yours sincerely,

[illegible]

P.S. I have just received a letter from my brother, who is in the army, and he tells me that he is going to be sent to France very soon. He is very much pleased about it, as he thinks he will see more of the world there than he would if he were to stay in England.

[illegible]

[illegible] I have been very busy with my work, and have not had much time for writing letters. I am glad to hear that you are getting on well with your studies. I am sorry to say that I am not able to help you with your problem, as I am not familiar with the subject. However, I will try to find out what I can and let you know.

[illegible]

[illegible]

[illegible]

[illegible]

must be an exhaustive examination of Progress Report
of Joint Committee .

It is hoped to be able to publish
early after the meeting of the Committee in
the following year a Bibliography
of the publications of Committee Members
which will be useful to them
in their work .

Dr. Hall-Quest .

Dr. Hall-Quest , Professor of Education
at the University of Kansas , Lawrence , Kansas ,
Chairman of the Joint Committee on Progress Report
Cooperation , and Dr. Aikin , Director of the Eight-Year
Study , have been invited to be present at
the meeting of the Committee on Friday , and
it is hoped that they will be able to
attend . The Committee thinks it important
to get the point of view of Teachers colleges
and Universities on the Progress Report
Cooperation .

[illegible]

be held that the proposed legislation banning [illegible]
applied the operations of an unlawful association, was
assuming that there was a [illegible] to the [illegible]
association named in the order, [illegible] can
be true by recording the events mentioned [illegible]
advertising the continued existence [illegible]
proscribed body. It is obvious, however, [illegible]
[illegible] paragraph empowers or enjoins [illegible]
anything [illegible] than [illegible]. It [illegible]
Government [illegible] to make it [illegible]
to make it a criminal offence to [illegible] to the [illegible]
or the activities of an unlawful association in [illegible]
whatever. But it has not done so. In the [illegible]
made an offence actually within what has [illegible]
there is a great difference between declaring a [illegible]
or [illegible] seem in a measure, [illegible]
of future activities. In [illegible], this is
the [illegible] paragraph, and [illegible] is a wide use of [illegible]
of [illegible] on the part of the [illegible]. It is, [illegible]
recognised principle that penal statutes must be strictly
construed, and I [illegible] that it is easy by a [illegible] and
narrow [illegible] of this section that the order
in this case can be held to [illegible] without [illegible]
the provision under which it has been [illegible].

I [illegible], therefore, [illegible] the conviction
[illegible] the appellant [illegible] that he
[illegible].

of which the subjoined has been found guilty by the Court. The sentence whose of Kansas confirmed I

service and discharge in disgrace.

As was of opinion that the conviction in the case cannot stand, for two reasons, the only associate-

-tion which is based in the Constitution, and the Articles of War, and the Judiciary Act, it is

Congress (Courtesy) which it exclusively, it but the

necessary to any [illegible] specified offenses, and

that the one intended, Secretary [illegible] of War

Congress (courtesy) which it exclusively, it but the

accomplished in fact and the charge etc. the Secretary

association there is no specific constitutional

activities relating to [illegible] of military

and even if one could [illegible] the [illegible]

association. The only one named is the Judicial Secretary

clear that there is a reference here to any specified

it, say, the Secretary, so that it is there would

Secretary (courtesy) which it exclusively, it but the

nose of this is applied in the [illegible] there is

assertions was intended rather than [illegible]

been to be no reason for [illegible] that one of those

-tions have been declared to be unlawful. The Minor

Canvas Commerce Committee [illegible] unlawful associa-

or the Kansas Statutes Committee on the Judicial

Committee, the [illegible] of which are [illegible]

explanations from the Senator Kansas Commerce

might be observed that the Kansas Legislature to local

body declared to be an unlawful association, but it

Congress, and the Judicial Secretary [illegible]

-tion which is based in the Constitution and the Articles

case cannot stand. For two reasons, the only associa-

-tion which is based in the Constitution, and the Judiciary

[illegible] of [illegible] that the conviction in the

[illegible] and [illegible] in [illegible].

Mr. [illegible] of Kansas continued:

- 2 -

Home Department (Special)

Uncertified copies of the judgment delivered by Mr. Justice Broomfield in the revision application filed by the Editor of the 'Kanara News' against his conviction under section 17(1 of the Criminal Law Amendment Act have been received. The date of the offending article as given in the judgment is 8th November. This would appear to be a mistake for 8th February, the date given by C.T. when forwarding an extract from the article to Government as well as by the 'Times of India' in their report of the proceedings in the High Court.

2. It is clear from the judgment that, while proceedings under section 17(1) of the Cr. L.A.A. could be taken against a newspaper for the publication of matter advertising the programme of future activities of an unlawful association, such proceedings cannot be instituted for the mere recording, as items of news, of actual events, such as the holding of a meeting or procession. Attention is invited, in this [illegible], to para 6 of Govt. Circular [illegible] Press Letter No. [illegible], dated [illegible] which it was suggested to D.M. [illegible] under section 17(1) of the Cr. L.A.A. may be taken against news [illegible] [illegible] [illegible]

hID. 15

Home Department (Special).

Uncertified copies of the Judgment delivered by Mr. Justice Broomfield in the revision application filed by the Editor of the 'Kanara News' against his conviction under section 17(1) of the Criminal Law Amendment Act have been received. The date of the offending article as given in the judgment is 8th November. This would appear to be a mistake for 8th February, the date given by C.T. when forwarding an extract from the article to Government as well as by the 'Times of India' in their report of the proceedings in the High Court.

2. It is clear from the judgment that, while proceedings under section 17(1) of the Cr. L.A.A. could be taken against a newspaper for the publication of matter advertising the programme of future activities of an unlawful association, such proceedings cannot be instituted for the mere recording, as items of news, of actual events, such as the holding of a meeting or procession. Attention is invited, in this connection, to para 3 of Govt. Circular Express Letter No. 387-Poll, dated -- 11-2-1932, in which it was suggested to D.Ms. that action under section 17(1) of the Cr. L.A.A. may be taken against newspapers in suitable cases such as when the boycott of British goods was advocated or when Congress flags were

Letter Illegible.

[illegible] the year

[illegible]

[illegible]

[illegible] .

[illegible] that the [illegible] on [illegible] .

[illegible] , Mrs Allen , not quite the description [illegible] .

[illegible] Miss Morland is just seen coming [illegible] .

[illegible] only one to [illegible] .

[illegible] Isabella. Indeed I do think [illegible] .

[illegible] , [illegible] [illegible] [illegible] .

[illegible] [illegible] [illegible] [illegible] [illegible] .

[illegible] [illegible] [illegible] [illegible] [illegible] .

[illegible] [illegible]

HD
151

149

Home Department (Special).

Uncertified copies of the judgment delivered by Mr. Justice Broomfield in the revision application filed by the Editor of the 'Kanara News' against his conviction under section 17(1 of the Criminal Law Amendment Act have been received. The date of the offendin article as given in the judgment is 8th November. This would appear to be a mistake for 8th February, the date given by C.T. when forwarding an extrac from the article to Government as well as by the 'Times of India' in their report of the proceedings in the High Court.

2. It is clear from the judgment that, while proceedings under section 17(1) of the Cr. L.A.A. could be taken against a newspaper for the publication of matter advertising the programme of future activities of an unlawful association, such proceedings cannot be instituted for the mere recording, as items of news, of actual events, such as the holding of a meeting or procession. Attention is invited, in this connection, to para 3 of Govt. Circular express Letter No. 387-Poll, dated -- 21-2-1932, in which it was suggested to D.Ms. that action under section 17(1) of the Cr. L.A.A. may be taken against newspapers in suitable cases such as [illegible] British goods was advocated or [illegible] plans were [illegible]. The High Court decision

structions.

3. It is for orders whether, as suggested in H.M's minute of the 4th instant, copies of the judgment should be sent to all D.Ms. and the C. of P., Bombay. If office may venture to say so, the Panara case seems to be an isolated instance of the misuse of section 17(1) of the Cr. L.A.A. and in view of the instructions contained in the Circular Express Letter No. 887-Poll, dated 11-2-1932, it could perhaps be sufficient if we drew only the D.M., Kenara's attention to that circular when a reply is received to our Express Letter No. S.D.-7361, dated 5-12-932.

4. The point in para 1 of H.M's minute of 29-11-32 may now be taken up. This [illegible] (through Ex. Branch) [illegible] of newspapers, under Chap VI, I.P.C., [illegible] sections 153A & 295A, otherwise under Section 108, Cr.P.C, would require the [illegible].

I agree.

I think the above note makes the position clear, and no further action is perhaps necessary. We have had to place on them the duty of looking after their local papers, and this is the first time within my recollection that the D.M. has misjudged the requirements

I think a copy of the papers should be sent to all Ds.M. & the C.P. for information

WID 153

Below copy of a judgment recorded by the High Court, Bombay, in Criminal Revision Application No.327 of 1932 in the case of Emperor versus Pandurang Krishna Shanchag.

Confidential

No.3.D.-7669.

Home Department (Political).

Bombay Castle, 19th December 1932.

Forwarded with compliments to-

The Commissioner in Sind,

All Divisional Commissioners,

All District Magistrates,

The Commissioner of Police, Bombay,

for information and guidance, with reference to paragraph 3 of Government Express Letter No.367-Poll., dated the 11th February 1932.

2. It is clear from the judgment that, while proceedings under section 17(1) of the Criminal Law Amendment Act could be taken against a newspaper for the publication of matter advertising the programme of future activities of an unlawful association, such proceedings cannot be instituted where past events are merely recorded as items of news, without any actionable comment.

By order of the Governor in Council,

F. V. Purnell,

Secretary to the Government of Bombay,
Home Department.

structions.

3. It is for orders whether, as suggested in H.M's minute of the 4th instant, copies of the judgment should be sent to all D.Ms. and the C. of P., Bombay. If office may venture to say so, the Kanara case seems to be an isolated instance of the misuse of section 17(1) of the Cr. L.A.A. and in view of the instructions contained in the Circular Express Letter No. 387-Poll, dated 11-2-1932, it would perhaps be sufficient if we drew only the D.M., Kanara's attention to that circular when a reply is received to our Express Letter No. S.D.-7364, dated 2-12-1932.

4. The point in para 1 of H.M's minute of 29-11-32 may now be taken up. This would seem to be (through Ex. Branch) [illegible] para 3 above. Prosecutions [illegible] of newspapers, under Chapt VI, S.P.C., or u/s 124A/153A & 295A, effected u/s under Sec 108, Cr.P.C. ordinarily require the previous sanction of Govt.

I think the above note makes the position clear, and no further action is perhaps necessary. We have had to place on Dists the duty of looking after their local papers, and this is the first time within my recollection that the Dist. has misjudged the requirements.

I agree.

I think a copy of the proposed circular should be sent to all Dists. especially for information.

nID 153

Below copy of a judgment recorded by the High Court, Bombay, in Criminal Revision Application No.327 of 1932 in the case of Imperator versus Pandurang Krishna Shanbhag.

Confidential.

No.S.D.-7649.

Home Department (Political).

Bombay Castle, 19th December 1932.

Forwarded with compliments to-

The Commissioner in Sind,

All Divisional Commissioners,

All District Magistrates,

The Commissioner of Police, Bombay,

for information and guidance, with reference to paragraph 3 of Government Express Letter No.387-Poll., dated the 11th February 1932.

2. It is clear from the judgment that, while proceedings under section 17(1) of the Criminal Law Amendment Act could be taken against a newspaper for the publication of matter advocating the programme of future activities of an unlawful association, such proceedings cannot be instituted where past events are merely recorded as items of news, without any objectionable comment.

By order of the Governor in Council,

[illegible] M. Maxwell,

Secretary to the Government of Bombay,
Home Department.

structions.

3. It is for orders whether, as suggested in H.M's minute of the 4th instant, copies of the judgment should be sent to all D.Ms. and the C. of P., Bombay. If office may venture to say so, the Kanara case seems to be an isolated instance of the misuse of section 17(1) of the Cr. L.A.A. and in view of the instructions contained in the Circular Express Letter No. 387-Poll, dated 11-2-1932, it would perhaps be sufficient if we drew only the D.M., Kanara's attention to that circular when a reply is received to our Express Letter No. S.D.-7364, dated 2-12-1932.

4. The point in para 1 of H.M's minute of 29-11-32 may now be taken up. (Through Ex. Branch.)

I agree.

I think the above note makes the position clear, and no further action is perhaps necessary. We have had to place on DMs the duty of looking after their local papers, and this is the first time within my recollection that the DM has misjudged the requirements.

I agree with the proposal to send copies of the judgment to all DMs especially for information.

HD 153

Below copy of a judgment recorded by the High Court, Bombay, in Criminal Revision Application No.323 of 1932 in the case of Emperator versus Pandurang Krishna Shanbhag.

Confidential.

No.S.D.-7649.

Home Department (Political).

Bombay Castle, 19th December 1932.

Forwarded with compliments to-

The Commissioner in Sind,

All Divisional Commissioners,

All District Magistrates,

The Commissioner of Police, Bombay,

for information and guidance, with reference to paragraph [illegible] Government Express Letter No.387-Poll., dated the [illegible] February 1933.

It is clear from the judgment that, while proceedings under section 124A of the Criminal Law Amendment Act could [illegible] against a newspaper for the publication of matter [illegible] programme of future activities of an [illegible] association, such proceedings cannot be instituted [illegible] merely recorded as items of news, [illegible] comment.

By order of the Governor in Council,

[illegible] Secretary to Government, Bombay, Home Department.

Judgments recorded by the High Court in Criminal Revision Application No.323 of 1932 in the case of Imperator versus Pandurang Krishna Shanbhag.

24th November 1932.

Coram:- Murphy & Broomfield JJ.

Judgment per Broomfield J.:-

The applicant in this case is the editor and publisher of a weekly newspaper called "Kanara News" which is published at Kumta, a town in the Kanara district. He has been convicted of an offence under section 17(1) of the Criminal Law Amendment Act XIV of 1908 and sentenced to a fine of Rs.200, in respect of a paragraph which appeared in his newspaper on the 6th of February ~~&c~~ 1932. It was an isolated paragraph under the heading "Ankola News", Ankola being another town in the Kanara district, and ran as follows:-

"Now the work of the National Congress is going on in Ankola through the fifth Dictator,Mrs.Bhagirathibai Ganesh Gemat is the present Dictator. A procession started on Saturday in honour of the [illegible] day of Pandit Motilal, and a huge meeting [illegible] on the Gandhi Maidan. Mrs.Shantubai [illegible] speech eulogised on the virtues of Motilal. There [illegible] in all a gathering of about [illegible] persons at the meeting. After the meeting was over Pandit [illegible] were distributed.

[illegible]

Judgments recorded by the High Court in Criminal Revision Application No.323 of 1932 in the case of Imperator versus Pandurang Krishna Shanbhag.

24th November 1932.

Coram:- Murphy & Broomfield JJ.

Judgment per Broomfield J.-

The applicant in this case is the editor and publisher of a weekly newspaper called "Kanara News" which is published at Kumta, a town in the Kanara district. He has been convicted of an offence under section 17(1) of the Criminal Law Amendment Act XIV of 1908 and sentenced to a fine of Rs.200, in respect of a paragraph which appeared in his newspaper on the 6th of February ~~12x~~ 1932. It was an isolated paragraph under the heading "Ankola News", Ankola being another town in the Kanara district, and ran as follows:-

"Now the work of the National Congress is going on in Ankola through the fifth Dictator. Mrs. Bhagirathibai Ganesh Kamat is the present Dictator. A procession started on Saturday in honour of the anniversary day of Pandit Motilal, and a huge meeting was held on the Gandhi Maidan. Mrs. Shantubai [illegible] expatiated on the virtues of Motilal. There [illegible] attendance of about 500 persons at the meeting. After the meeting was over handbills were distributed.

[illegible] o comment or criticism on the incident [illegible] that by publishing this [illegible] used assisted the operations of the [illegible] Congress [illegible] that [illegible] the offence [illegible]

[illegible]

H/D 155

Judgments recorded by the High Court in Criminal Revision Application No.323 of 1932 in the case of Imperator versus Pandurang Krishna Shanbhag.

24th November 1932.

Coram:- Murphy & Broomfield JJ.

Judgment per Broomfield J.-

The applicant in this case is the editor and publisher of a weekly newspaper called "Kanara News" which is published at Kumta, a town in the Kanara district. He has been convicted of an offence under section 17(1) of the Criminal Law Amendment Act XIV of 1908 and sentenced to a fine of Rs.200, in respect of a paragraph which appeared in his newspaper on the 6th of February ~~12~~ 1932. It was an isolated paragraph under the heading "Ankola News", Ankola being another town in the Kanara district, and ran as follows:-

"Now the work of the National Congress is going on in Ankola through the fifth Dictator.Mrs.Bhagirathibai Ganesh Kamat is the present Dictator. A procession started on Saturday in honour of the anniversary day of Pandit Motilal, and a huge meeting was held on the Gandhi Maidan. Mrs.Shantubai [illegible] expatiated on the virtues of Motilal. There was an attendance of about 500 persons at the meeting. After the meeting was over Handbills were distributed."

There was no comment or criticism on the incidents referred. The charge was that by publishing this paragraph the accused "assisted the operations of the [illegible] Congress", and that is the offence of which the applicant has been found guilty by the trial Court. The Sessions Judge of Kanara confirmed the

conviction

hlD/154

conviction and sentence in appeal.

We are of opinion that the conviction in this case cannot stand, for two reasons. The only association which is named in the paragraph is the National Congress, and the National Congress it appears has not been declared to be an unlawful association as such. It might be suggested that the reference really was to local organisations such as the Karnatak Prantik Congress Committee, the head-quarters of which are at Dharwar, or the Kanara District Congress Committee or the Ankola Taluka Congress Committee, all three of which associations have been declared to be unlawful. But there seems to be no reason for holding that any one of these associations was intended rather than any other and none of them is specified in the charge. There is nothing in the judgment of either Court to show who Mrs. Bhagirathi-bai Ganesh Hamat is or of what association, if any, she is the Dictator. So that it is by no means clear that there is any reference here to any proscribed association. The only one named is the National Congress, and even if one could go so far as to infer that the activities referred to were those of an unlawful association there is no ground for holding that the association named in the charge viz. the Karnatak Prantik Congress (Committee) with its head-quarters at Dharwar was the one intended. Moreover I have read the paragraph in full and it appears that there is no reference to any unlawful activities of any association, the incidents mentioned being a procession in honour of the anniversary of Pandit Motilal and a meeting on a certain lady expatiated on the virtues of [illegible].

I now come to the second point which is that by no [illegible] construction of language could it be held that the

HD 154

conviction and sentence in appeal.

We are of opinion that the conviction in this case cannot stand, for two reasons. The only association which is named in the paragraph is the National Congress, and the National Congress it appears has not been declared to be an unlawful association as such. It might be suggested that the reference really was to local organisations such as the Karnatak Prantik Congress Committee, the head-quarters of which are at Dharwar, or the Kanara District Congress Committee or the Ankola Taluka Congress Committee, all three of which associations have been declared to be unlawful. But there seems to be no reason for holding that any one of these associations was intended rather than any other and none of them is specified in the charge. There is nothing in the judgment of either Court to show who Mrs. Bhagirathibai Ganesh Kamat is or of what association, if any, she is the Dictator. So that it is by no means clear that there is a reference here to any proscribed association. The only one named is the National Congress, and even if one could go so far as to infer that the activities referred to were those of an unlawful association there is no ground for concluding that the association named in the charge viz. the Karnatak Prantik Congress (Committee) with its head-quarters at Dharwar was the one intended. Moreover I have set out the paragraph in full and it appears that there is no reference to any unlawful activities of any association, the incidents mentioned being a procession in honour of the anniversary of Pandit Motilal and a meeting on a maidan where a certain lady expatiated on the virtues of Pandit Motilal.

That leads me to the second point which is that by no reasonable construction of language could it be held that

the

HD 154

conviction and sentence in appeal.

We are of opinion that the conviction in this case cannot stand, for two reasons. The only association which is named in the paragraph is the National Congress, and the National Congress it appears has not been declared to be an unlawful association as such. It might be suggested that the reference really was to local organisations such as the Karnatak Prantik Congress Committee, the head-quarters of which are at Dharwar, or the Kanara District Congress -- Committee or the Ankola Taluka Congress Committee, all three of which associations have been declared to be unlawful. But there seems to be no reason for holding that any one of these associations was intended rather than any other and none of them is specified in the charge. There is nothing in the judgment of either Court to show who Mrs.Bhagirathi-bai Ganesh Amat is or of what association, if any, she is the Dictator. So that it is by no means clear that there is a reference here to any proscribed association. The only [illegible] the National Congress, and even if one could [illegible] so far as to infer that the activities referred to were those of an unlawful association there is no ground for [illegible] that the association named in the charge viz. the Karnatak Prantik Congress (Committee) with its head-[illegible] was the one intended. Moreover I have [illegible] in full and it appears that there is [illegible] any unlawful activities of any associa-[illegible] mentioned being a procession in honour [illegible] anniversary of Pandit Motilal and a meeting on a [illegible] lady expatiated on the virtues of [illegible].

[illegible] the second point which is that by no [illegible] of language could it be held that

the

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the paragraph in question standing by itself against the operations of an unlawful association, even assuming that there was a reference to the unlawful association named in the charge. The suggestion can only be that by recording the events mentioned the accused was advertising the continued existence and activities of a proscribed body. In my opinion, however, the paragraph complained of cannot fairly be regarded as anything more than an item of news. It would be open to Government, if they thought it reasonable or necessary, to make it a criminal offence to refer to the proceedings or the activities of an unlawful association in any manner whatever. But it has not done so. It has not so far been made an offence merely to mention what has happened, and there is a great difference between describing past events, as items of news in a newspaper, and publishing a programme of future activities. As I have mentioned, this is an isolated paragraph, and there is no evidence of a course of conduct on the part of the accused. It is a well recognised principle that penal statutes must be strictly construed and I hold that it is only by a far-fetched and unreasonable construction of this provision that the accused in this case can be held to have committed an offence under the section under which he has been convicted.

I would, therefore, set aside the conviction and sentence and acquit the applicant and direct that the fine if paid be refunded.

[illegible]

I agree.

[illegible]

HID 159

the paragraph in question standing by itself assisted the operations of an unlawful association, even assuming that there was a reference to the unlawful association named in the charge. The suggestion can only be that by recording the events mentioned the accused was advertising the continued existence and activities of a proscribed body. In my opinion, however, the paragraph complained of cannot fairly be regarded as anything more than an item of news. It would be open to Government, if they thought it reasonable or necessary, to make it a criminal offence to refer to the proceedings or the activities of an unlawful association in any manner whatever. But it has not done so. It has not so far been made an offence merely to mention what has happened, and there is a great difference between describing past events, as items of news in a newspaper and publishing a programme of future activities. As I have mentioned, this is an isolated paragraph, and there is no evidence of a course of conduct on the part of the accused It is a well recognised principle that penal statutes must be strictly construed and I hold that it is only by a far-fetched and unreasonable construction of this provision that the accused in this case can be held to have committed an offence under the section under which he has been convicted.

I would, therefore, set aside the conviction and sentence and acquit the applicant and direct that the fine if paid be refunded.

Per Murphy J.-

I agree.

JP.

HID 159

the paragraph in question standing by itself assisted th operations of an unlawful association, even assuming that there was a reference to the unlawful association named in the charge. The suggestion can only be that by recording the events mentioned the accused was advertising the continued existence and activities of a proscribed body. In my opinion, however, the paragraph complained of cannot fairly be regarded as anything more than an item of news. It would be open to Government, if they thought it reasonable or necessary, to make it a criminal offence to refer to the proceedings or the activities of an unlawful association in any manner whatever. But it has not done so. It has not so far been made an offence merely to mention what has happened, and there is a great difference between describing past events, as items of news in a newspaper, and publishing a programme of future activities. As I have mentioned, this is an isolated paragraph, and there is no evidence of a course of conduct on the part of the accused. It is a well recognised principle that penal statutes must be strictly construed and I hold that it is only by a far-fetched and unreasonable construction of this provision that the accused in this case can be held to have --- committed an offence under the section under which he has been convicted.

I would, therefore, set aside the conviction and sentence and acquit the applicant and direct that the fine if paid be refunded.

Per Thirgood J.-

I agree.

Confidential.

EXPRESS LETTER

No. S.D.-445, dated the 31st January 1933

To

The District Magistrate,
Kanara.

Government would be glad to have an early reply to their express letter No. S.D.-7564, dated the 2nd December 1932, regarding the prosecution of P.K.Shanbhag Editor of the "Kanara News", under section 17(1) of the Criminal Law Amendment Act, 1908, and for breach of orders served on him under section 4(1) of Ordinance X, and regarding the effect, in your district, of his acquittal by the High Court on appeal against his conviction on another charge under section 17(1) of the Criminal Law Amendment Act, 1908.

Bombay Special.

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for Secretary to the Government of Bombay,
Home Department.

Confidential.

nil/161 179 119

EXPRESS LETTER.

No. S.D.-445, dated the 31st January 1933.

To

The District Magistrate,

Kanara.

Government would be glad to have an early reply to their Express Letter No. S.D.-7564, dated the 2nd December 1932, regarding the prosecution of V.K.Shanbhag Editor of the "Kanara News", under section 17(1) of the Criminal Law Amendment Act, 1908, and for breach of orders served on him under section 4(1) of Ordinance X, and regarding the effect, in your district, of his acquittal by the High Court on appeal against his conviction on another charge under section 17(1) of the Criminal Law Amendment Act, 1908.

p 143 ante

Bombay Special.

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for Secretary to the Government of Bombay,
Home Department.

Confidential.

NID/161 179

EXPRESS LETTER.

No. S.D.-445, dated the 31st January 1933.

To

The District Magistrate,

Kanara.

Government would be glad to have an early reply to their Express Letter No. S.D.-7364, dated the 2nd December 1932, regarding the prosecution of P.K.Shanbhag Editor of the "Kanara News", under section 17(1) of the Criminal Law Amendment Act, 1908, and for breach of orders served on him under section 4(1) of Ordinance X, and regarding the effect, in your district, of his acquittal by the High Court on appeal against his conviction on another charge under section 17(1) of the Criminal Law Amendment Act, 1908.

Bombay Special.

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for Secretary to the Government of Bombay,

Home Department.

R. & O. S.O. 790
9-2-1933

161

Confidential. No. 30.

Camp Murdeshwar, 6th February 1933.

From

C. H. Bristow, Esquire, I.C.S.,
District Magistrate, Kanara.

HD 163

To

The Secretary to Government,
Home Department (Special), Bombay.

Sir,

Reference Home Department (Special) Express Letter No. S.D.-7364 dated 2nd December 1932 and No. S.D.-445 dated 31st January 1933. I have the honour to report that the Editor of the 'Kanara News' was acquitted by the High Court in appeal in the first case. The other two cases are still pending, one under section 17(1) of the Criminal Law Amendment Act in the Court of the Town Magistrate, Karwar, the other under section 17 of the Ordinance X of 1932 for breach of the District Magistrate's order in the Court of the Sub Divisional Magistrate, Sirsi Division. The Sirsi former is being delayed by an application for calling a deportee viz. Mrs Gouramma as a witness. The Magistrate has been told to finish the case as soon as possible. The quarterly return for the latter case has not yet been received; but this was postponed by the Magistrate on an application alleging that the acting Collector was not legally appointed District Magistrate.

The 'Kanara News' ceased publication after 16th August and the reason alleged was private difficulties. It seems unlikely that it will be published again any now until the two remaining cases have been disposed of.

The gist of the High Court's ruling was that the statement complained of was an item of news and not a programme and that it did not mention the District Congress Committee, which is a proscribed association. It does not seem probable that this decision will make it more difficult to suppress any active support to the Civil Disobedience Movement if given by the press.

R. & O. No. S.D. 790
9-2-1933

Confidential. No. 30.

Camp Murdeshwar, 6th February, 1933.

From

C. H. Bristow, Esquire, I.C.S.,
District Magistrate, Kanara.

To

The Secretary to Government,
Home Department (Special), Bombay.

Sir,

Reference Home Department (Special) Express Letter No. S.D.- 7364 dated 2nd December 1932 and No. S.D.- 445 dated 31st January 1933. I have the honour to report that the Editor of the 'Kanara News' was acquitted by the High Court in appeal in the first case. The other two cases are still pending, one under section 17(1) of the Criminal Law Amendment Act in the Court of the Town Magistrate, Karwar, the other under section 17 of the Ordinance X of 1932 for breach of the District Magistrate's order in the Court of the Sub Divisional Magistrate, Sirsi Division. The Sirsi former is being delayed by an application for calling a deportee viz. Mrs Gouramma as a witness. The Magistrate has been told to finish the case as soon as possible. The quarterly return for the latter case has not yet been received; but this was postponed by the Magistrate on an application alleging that the acting Collector was not legally appointed District Magistrate.

The 'Kanara News' ceased publication after August last because it alleged its private difficulties. It seems unlikely that it will be published again any how till the two pending cases have been disposed of.

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The gist of the High Court's ruling was that [illegible] of the paper and not a [illegible] that it did not mention the District Congress Committee, which is a proscribed association. It does not [illegible] that this decision will make it more difficult [illegible] matter with regard to the Civil Disobedience Movement if given by the press.

R. N. No. S.O. 790
9-2-1933

164
~~164~~

Confidential. No. 30.

Camp Murdeshwar, 6th February 1933.

From

C. H. Kristow, Esquire, I.C.S.,
District Magistrate, Kanara.

HD 163

To

The Secretary to Government,
Home Department (Special), Bombay.

Sir,

Reference Home Department (Special) Express Letter No. S.D.-7364 dated 2nd December 1932 and No. S.D.-445 dated 31st January 1933. I have the honour to report that the Editor of the 'Kanara News' was acquitted by the High Court in appeal in the first case. The other two cases are still pending, one under section 17(1) of the Criminal Law Amendment Act in the Court of the Town Magistrate, Karwar, the other under section 17 of the Ordinance X of 1932 for breach of the District Magistrate's order in the Court of the Sub Divisional Magistrate, Sirsi Division. The former is being delayed by an application for calling a deportee viz. Mrs Couramma as a witness. The Magistrate has been told to finish the case as soon as possible. The quarterly return for the latter case has not yet been received; but this was postponed by the Magistrate on an application alleging that the acting Collector was not legally appointed District Magistrate.

The 'Kanara News' ceased publication after 1st August and the reason alleged was private difficulties. It seems unlikely that it will be published again any how until the two remaining cases have been disposed of.

The gist of the High Court's ruling was that the statement complained of was an item of news and not a programme and that it did not mention the District Congress Committee, which is a prescribed association. It does not seem probable that this decision will make it more difficult to suppress any active support to the Civil Disobedience Movement if given by the press.

cf. p. 143 ante
+p 179 ante

S judgment at p. 151-155 ante

+ also p. 177 ante

⊗ see pp 33-35 ante

cf. judgment at p. 151-155 ante. & also p 167 ante

I regret the delay that has occurred in replying to the former reference.

Your obedient servant,

C H Bruton

District Magistrate, Kanara.

3.

Yr

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Home Department (Special).

Submitted for information.

2. Further developments may be awaited.

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Secy

Does know exactly when the facts of the complaint are in the two pending cases? On what dates were the prosecutions instituted? Two ways here to consider whether the prosecutions should be withdrawn in view of the very slow progress made

Home Dept.

Home Department (Special).

The first case pending against the editor of the 'Kanara News' is under section 17(1) of the Indian Criminal Law Amendment Act, 1908, in respect of an article published on the 25th April 1932, making serious allegations against the police of Siddapur Taluka regarding the treatment of certain women pickeuers, Gouramma and others. The allegations were enquired into at the instance of Government and found to be entirely untrue. The case as

HD/165 : 163 83

Home Department (Special).

Submitted for information.

2. Further developments may be awaited.

9.2.35
7.2.35

Do we know exactly what the facts of the complaint are in the two pending cases? On what dates were the prosecutions instituted? And how many have to run when the first of the prosecutions should be withdrawn in view of the very slow progress made.

None
Tel.

Home Department (Special).

The first case pending against the editor of the 'Kanara News' is under section 17(1) of the Indian Criminal Law Amendment Act, 1908, in respect of an article published on the 25th April 1932, making serious allegations against the police of Siddapur Taluka regarding the treatment of certain women picketers, Gouramma and others. The allegations were enquired into at the instance of Government and found to be entirely untrue. The case was

explanation

2 to be found in report at p 33-35 ante

I regret the delay that has occurred in replying to the former reference.

Your obedient servant,

C H Benbow

District Magistrate, Kanara.

I regret the delay that has occurred in replying to the former reference.

Your obedient servant,

C H Bracken

District Magistrate, Kanara.